

Mr. HARRISON. Mr. President, I think we might as well take a recess to-night if we have to get up early in the morning to work on this measure. I believe the Committee on Finance ought to meet in the morning and work out these various items in the hope that it will expedite matters.

Mr. SMOOT. Is the Senator willing to have the committee meet at 8.30?

Mr. KING. Mr. President, will the Senator consider this suggestion, in view of the vast amount of work the committee will have to do? The Senate ought not to meet at 10 o'clock in the morning, but at 11 o'clock, so as to give us an hour and a half or two hours to-morrow morning for the consideration of these matters in the committee. I suggest to my colleague that he ask unanimous consent that the unanimous-consent agreement heretofore entered into by which the Senate agreed to meet at 10 o'clock be modified or changed so that the Senate will not meet to-morrow until 11 o'clock, and thus give the committee ample time for consideration of these various matters.

Mr. SMOOT. I do not see why we can not get up early and get to work at 8.30. I see no reason why we can not do that.

The VICE PRESIDENT. The Secretary will report the next amendment.

Mr. JOHNSON. Mr. President, I made a suggestion to the Senator from Utah, which I think fell upon sympathetic ears, that he make a motion to take a recess.

Mr. SMOOT. I move the Senate take a recess until 10 o'clock to-morrow morning.

Mr. HARRISON. One moment, Mr. President. May I ask the Senator from Utah what time the Finance Committee will meet to-morrow?

Mr. SMOOT. At 8.30 a. m.

Mr. HARRISON. Eight thirty a. m. is almost out of the question. Why not make it 9 o'clock? The Senator has not gotten up at 8.30 in a good while. I suggest the Senator make it 9 o'clock.

Mr. SMOOT. If I did not have a part of my work done by 8.30 o'clock in the morning, I would never get through.

The VICE PRESIDENT. The question is on the motion of the Senator from Utah that the Senate take a recess until 10 o'clock to-morrow morning.

The motion was agreed to; and (at 9 o'clock and 15 minutes p. m.) the Senate took a recess, the recess being under the order previously entered, until to-morrow, Thursday, May 26, 1932, at 10 o'clock a. m.

NOMINATION

Executive nomination received by the Senate May 25 (legislative day of May 9), 1932

COAST GUARD

Capt. Harry G. Hamlet, of Washington, to be Commandant, with the rank of rear admiral, in the Coast Guard of the United States, for a term of four years, in place of Rear Admiral Frederick C. Billard, deceased.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 25, 1932

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, unto whom all hearts are open, all desires known, and from whom no secrets are hid, cleanse the thoughts of our hearts by the inspiration of Thy holy spirit, that we may perfectly love Thee and worthily magnify Thy holy name. May the words of our lips and the meditations of our hearts be acceptable in Thy sight, O Lord, our strength and our Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

The SPEAKER. Pursuant to the order agreed to on yesterday, the Chair declares the House to be in recess.

Accordingly the House stood in recess, to meet at the call of the Speaker.

ORDER OF EXERCISES

Prelude, sacred selections (11.30-12).....U. S. Navy Band Orchestra
Presiding Officer.....The Speaker of the House of Representatives
Invocation.....The Chaplain, Dr. James Shera Montgomery
String quartette—Andante Cantabile (Tschalkowsky).....
U. S. Navy Band Orchestra
Scripture reading and prayer.....The Chaplain
Roll of Deceased Members.....
The Clerk of the House of Representatives
Devotional silence.
Tenor solo—There Is No Death (O'Hara).....Ross Farrar
Robt. L. Feuerstein, accompanist
Address.....Hon. SCOTT LEAVITT
Representative from the State of Montana
Baritone solo—Farewell (Russell).....Leonard Davis
Robt. L. Feuerstein, accompanist
Address.....Hon. WILLIAM B. BANKHEAD
Representative from the State of Alabama
Cornet solo—Abide With Me.....John Walker
U. S. Navy Band Orchestra
Benediction.....The Chaplain

MEMORIAL SERVICES

The Speaker of the House of Representatives presided.

The string quartette of the United States Navy Band Orchestra rendered "Andante Cantabile," by Tschalkowsky.

The Chaplain, Doctor Montgomery:

Almighty God, separated from the toils of the day, may this hour be a dedication. Make Thy Holy Spirit a minister and a messenger of love and faith. Our hearts are one; they express the sorrow of our fellow countrymen. Do Thou remember those, Blessed Lord, who are in the valley of affliction. In its hush and silence may they catch the floating notes wafted from the highlands of the upper world. O be the melody for the dirge, the sweetness for the cup, and the strength for the weary. In our losses, hear us O most merciful Father. With us the joys and the fellowships of time have been swept away. The dreams of the past struggle for expression; but as they are inspired from the passing scenes of life, they can never be fulfilled. O God, we would share again the changeless love of the unforgotten days. In the ages to come, beyond the menace and the mystery of mortality, we shall meet again—unafraid, conscious that our souls are becoming vaster and holier in the presence of the infinite God of man. Through Jesus Christ our Lord. Amen.

Three fishers went sailing out into the west,
Out into the west as the sun went down;
Each thought of the woman who loved him the best;
And the children stood watching them out of the town;
For men must work and women must weep,
There's little to earn and many to keep,
Though the harbor bar be moaning.

Three wives sat up in the lighthouse tower,
And they trimmed their lamps as the sun went down;
They looked at the squall and they looked at the shower,
And the rack it came rolling up ragged and brown!
But men must work and women must weep,
Though storms be sudden and waters deep,
And the harbor bar be moaning.

Three corpses lay on the shining sands
In the morning gleam as the tide went down,
And the women are weeping and wringing their hands
For those who never came back to the town;
For men must work and women must weep,
And the sooner it's over, the sooner to sleep,
And good-bye to the bar and its moaning.

As I stand by the cross on the lone mountain's crest
Looking toward the ultimate sea,
In the gloom of the mountain, a ship lies at rest,
And one sails away from the lea.
One spreads its white sails on a far-reaching track,
With pennant and sheet flowing free.
One hides in the shadows with sails laid aback,
The ship that is waiting for me.
But, lo, in the distance the clouds break away;
The Gate's glowing portals I see;
And I hear from the outgoing ship in the bay
The song of the sailors in glee.
So I think of the luminous footsteps
That bore them o'er dark Galilee,
And I wait for the signal to go to the shore,
To the ship that is waiting for me.

Bless the Lord, O my soul; and all that is within me; bless His holy name. Bless the Lord, O my soul, and forget not all His benefits: Who forgiveth all thine iniquities; who healeth all thy diseases; who redeemeth thy life from destruction; who crowneth thee with loving kindness and tender mercies; who satisfieth thy mouth with good things so that thy youth is renewed like the eagles'. The Lord executeth righteousness and judgment for all that are oppressed. He made known His ways unto Moses, His acts unto the children of Israel. The Lord is merciful and gracious, slow to anger and plenteous in mercy. He will not always chide; neither will He keep His anger forever. He hath not dealt with us after our sins; nor rewarded us according to our iniquities. As the heaven is high above the earth, so great is His mercy toward them that fear Him. As far as the east is from the west, so far hath He removed our transgressions from us. Like as a father pitieth his children, so the Lord pitieth them that fear Him. For He knoweth our frame; He remembereth that we are dust. As for man his days are as grass; as a flower of the field so he flourisheth. For the wind passeth over it, and it is gone; and the place thereof shall know it no more. But the mercy of the Lord is from everlasting to everlasting upon them that fear him and His righteousness unto children's children. Bless the Lord, O my soul.

Let not your heart be troubled; believe in God; believe also in me. In my Father's house are many mansions; if it were not so, I would have told you; for I go to prepare a place for you. And if I go and prepare a place for you, I will come again, and receive you unto myself; that where I am there ye may be also.

ROLL OF DECEASED MEMBERS

Mr. Patrick J. Haltigan, reading clerk of the House, read the following roll:

DWIGHT WHITNEY MORROW, SENATOR FROM THE STATE OF NEW JERSEY

Diplomat; lawyer; ambassador to Mexico; delegate to the Pan American Conference, 1928; delegate to the naval conference, London, England, 1930; member of various State commissions; chairman President's Aircraft Board, 1925; awarded distinguished-service medal 1919 by General Pershing; elected a member of the United States Senate November 4, 1930. Died October 5, 1931.

THADDEUS H. CARAWAY, SENATOR FROM THE STATE OF ARKANSAS

Lawyer; prosecuting attorney for the second judicial district of Arkansas; Member of the House of Representatives, Sixty-third, Sixty-fourth, Sixty-fifth, and Sixty-sixth Congresses; twice elected to the United States Senate. Died November 6, 1931.

WILLIAM JULIUS HARRIS, SENATOR FROM THE STATE OF GEORGIA

Banker; member of State senate in 1911 and 1912; chairman Democratic State Committee in 1912 and 1913; Director of the United States Census Bureau; Acting Secretary of the Department of Commerce and Chairman of Federal Trade Commission; elected to the United States Senate for three terms. Died April 18, 1932.

HENRY ALLEN COOPER, REPRESENTATIVE FROM THE FIRST CONGRESSIONAL DISTRICT OF WISCONSIN

District attorney; State senator; delegate to the Republican National Convention, 1884, 1908, and 1924; Member House of Representatives Fifty-third and the 12 succeeding Congresses; also reelected to the Sixty-seventh and each succeeding Congress. Died March 1, 1931.

JAMES BENJAMIN ASWELL, REPRESENTATIVE FROM THE EIGHTH CONGRESSIONAL DISTRICT OF LOUISIANA

School-teacher; State institution conductor; president of the Louisiana Polytechnic Institute; State superintendent of education; president Louisiana State Normal College; Member of the Sixty-third and each succeeding Congress. Died March 16, 1931.

NICHOLAS LONGWORTH, REPRESENTATIVE FROM THE FIRST CONGRESSIONAL DISTRICT OF OHIO

Member of the board of education of Cincinnati; State Representative; State senator; Member of the Fifty-eighth, Fifty-ninth, Sixty-first, and Sixty-second Congresses and of the Sixty-fourth and each succeeding Congress; majority floor leader; three times elected Speaker of the House of Representatives. Died April 9, 1931.

MATTHEW VINCENT O'MALLEY, REPRESENTATIVE FROM THE SEVENTH CONGRESSIONAL DISTRICT OF NEW YORK

Business man; member Brooklyn Chamber of Commerce; Member of the Seventy-second Congress. Died May 26, 1931.

CHARLES ANTHONY MOONEY, REPRESENTATIVE FROM THE TWENTIETH CONGRESSIONAL DISTRICT OF OHIO

Insurance broker; member of the State senate; delegate to the Democratic National Convention in 1920 and 1924; Member of the Sixty-sixth, Sixty-eighth, Sixty-ninth, Seventieth, and Seventy-first Congresses. Died May 29, 1931.

GEORGE SCOTT GRAHAM, REPRESENTATIVE FROM THE SECOND CONGRESSIONAL DISTRICT OF PENNSYLVANIA

Lawyer; member of the City Council of Philadelphia; district attorney; professor of criminal law in the University of Pennsylvania; delegate to the Republican National Convention 1892 and 1924; Member of the Sixty-third and each succeeding Congress; chairman of the Committee on the Judiciary. Died July 4, 1931.

CHARLES GORDON EDWARDS, REPRESENTATIVE FROM THE FIRST CONGRESSIONAL DISTRICT OF GEORGIA

Farmer; lawyer; member State militia; president of the Savannah Board of Trade; member of the Savannah Harbor Commission; Member of the Sixtieth and the four succeeding Congresses; also Sixty-ninth and each succeeding Congress. Died July 13, 1931.

BIRD J. VINCENT, REPRESENTATIVE FROM THE EIGHTH CONGRESSIONAL DISTRICT OF MICHIGAN

Lawyer; assistant prosecuting attorney of Saginaw County; prosecuting attorney; served 10 months in France during World War as first lieutenant of the Sixth Train Headquarters and in the Three hundred and second Train Headquarters; city attorney of Saginaw; Member of the Sixty-eighth and each succeeding Congress. Died July 18, 1931.

SAMUEL COLLIER MAJOR, REPRESENTATIVE FROM THE SEVENTH CONGRESSIONAL DISTRICT OF MISSOURI

Lawyer; prosecuting attorney; State senator; Member of the Sixty-sixth, Sixty-eighth, Sixty-ninth, Seventieth, and Seventy-second Congresses. Died July 28, 1931.

ERNEST ROBINSON ACKERMAN, REPRESENTATIVE FROM THE FIFTH CONGRESSIONAL DISTRICT OF NEW JERSEY

Manufacturer; member of the Common Council of Plainfield; presidential elector; State senator; president of the State senate; delegate Republican National Convention in 1908 and 1916; member board of trustees of Rutgers College and the State board of education; Member of Sixty-sixth and each succeeding Congress. Died October 18, 1931.

FLETCHER HALE, REPRESENTATIVE FROM THE FIRST CONGRESSIONAL DISTRICT OF NEW HAMPSHIRE

City solicitor of Laconia; solicitor of Belknap County; lawyer; chairman board of education; delegate to State constitutional convention; State tax commissioner; Member Sixty-ninth and each succeeding Congress. Died October 22, 1931.

HARRY M'LEARY WURZBACH, REPRESENTATIVE FROM THE FOURTEENTH CONGRESSIONAL DISTRICT OF TEXAS

Recruited and served as private in Company F, First Regiment Texas Volunteer Infantry, Spanish-American War; lawyer; prosecuting attorney and judge of Guadalupe County; delegate at large from Texas to the Republican National Convention, 1924; Member of the Sixty-seventh and each succeeding Congress. Died November 6, 1931.

PERCY EDWARDS QUIN, REPRESENTATIVE FROM THE SEVENTH CONGRESSIONAL DISTRICT OF MISSISSIPPI

School-teacher; lawyer; delegate to Democratic State conventions, 1899 and 1912; member State house of representatives; Member of Sixty-third and each succeeding Congress. Died February 4, 1932.

SAMUEL RUTHERFORD, REPRESENTATIVE FROM THE SIXTH CONGRESSIONAL DISTRICT OF GEORGIA

Lawyer; three times mayor of Forsyth; solicitor of city court; member of State house of representatives three terms; State senator; Member of House of Representatives Sixty-ninth and each succeeding Congress. Died February 4, 1932.

ALBERT HENRY VESTAL, REPRESENTATIVE FROM THE EIGHTH CONGRESSIONAL DISTRICT OF INDIANA

School-teacher; prosecuting attorney of the fiftieth judicial circuit, 1900-1904; elected to Sixty-fifth and each succeeding Congress. Died April 1, 1932.

EDWARD M'MATH BEERS, REPRESENTATIVE FROM THE EIGHTEENTH CONGRESSIONAL DISTRICT OF PENNSYLVANIA

Bank director; delegate to the Republican State convention in 1898; mayor of Mount Union, Pa., 1910-1914; associate judge of Huntingdon County, 1914-1923; elected to Sixty-eighth and each succeeding Congress. Died April 21, 1932.

Mrs. Wingo, a Representative from the State of Arkansas, standing in front of the Speaker's rostrum, placed a memorial rose in a vase as the name of each deceased Member was read by the Clerk.

Then followed one minute of devotional silence.

Mr. Ross Farrar sang "There Is No Death."

Hon. SCOTT LEAVITT, a Representative from the State of Montana, delivered the following address:

ADDRESS OF HON. SCOTT LEAVITT, OF MONTANA

Mr. LEAVITT. Mr. Speaker, since that day, little more than a year ago, when on another occasion we met to pay affectionate tribute to colleagues of ours who had answered the roll call of eternity, 19 others have arisen from their labors among us and have gone out, never to return.

Just a moment ago we listened to the calling of their names. Silence, and after each the placing of a flower. Our ears yearned, loath to abandon hope, but no familiar voice responded. And yet was there, indeed, no answer? Was not that silence like the quiet of a starry night, when all the winds are hushed? Was not that silence like the stillness we have known alone in the vastness of the mountains or far out upon the soundless, breathing sea, when the all-pervading solitude has formed within our souls those revealing words, "Be still and know that I am God"?

It is in such silence that we find our faith arising like the sword of Arthur, out of the morass of our doubt and ready to our hand.

It is in such silence that we comprehend the revelation of our faith to be truly "the substance of things hoped for, the evidence of things not seen."

It is in such stillness that our trust is able to speak to us with a clear voice, and say surely, if a man die, yet shall he live again.

This memorial service, held in accordance with a reverent custom, falls in the midst of the bicentennial year especially set apart and dedicated in the hearts of the American people to the thought of George Washington. It is fitting then that we consider the lives and public work of our departed friends in that illumination.

They whose names we inscribe to-day in the Nation's pantheon form an illustrious company. Singly, in their diverse origins and in the varying degrees of struggle through which they attained the honor of here serving their people and their country, they exemplified all the finest traditions of America's equality of opportunity. Collectively, in their steadfast devotion to the common good, in their united purpose to serve the public welfare without fear and without reproach, they furnish a reassuring fulfillment of that prayer of hope expressed by Washington a century and a half ago, when the stalwart builders of the Republic who had labored by his side in laying the foundations and in beginning the superstructure, one by one laid down their working tools and went to their eternal rest, and he said:

Thus some of the pillars of the Revolution fall. Others are mouldering by insensible degrees. May our country never want props to support the glorious fabric.

Truly, those we commemorate to-day, in the character of their public service and in the quality of their manhood, were of that never-ending, never-failing succession of props, upholding in glory and in security the destiny of the Republic.

Jefferson said of Washington:

The whole of his character was in its mass perfect, in nothing bad, in a few things indifferent.

And we may in truth apply those words to these 19. It is not given to me to eulogize them individually. They stand together in the honor we would pay them, even as they mingled with us here. Joined thus are the veteran, who in many repeated elections received the acclaim and mandate of his people, and the neophyte, who stood but for a moment at the threshold and was gone. Joined with them all is he who, laying his gavel down forever, descended from the Speaker's dais to stand among the rest. All a goodly, devoted company, which we and the Nation could ill afford to lose when the way was in any wise obscure!

Out of that association, which is the rare privilege and the greatest recompense of our service here, we learn to mark the true stature of men. We come thus to realize almost universally that, when the white fire of truly national need blazes forth, the dross of sectionalism, of petty partisanship, of individual selfishness, is consumed, and pure gold is found in every character. In that pure gold we set the jewel of our remembrance.

Said Washington of the reputation of public men:

The good opinion of honest men, friends of freedom, and well-wishers of mankind, wherever they may be born or happen to reside, is the only kind of reputation a wise man would ever desire.

Of the triumph of principle he said:

In times of turbulence, when the passions are afloat, calm reason is swallowed up in the extremes to which measures are at-

tempted to be carried; but when those subside, and its empire is resumed, the man who acts from principle, who pursues the path of truth, moderation, and justice, will regain his influence.

Regarding the placing of duty above popularity, his words were these:

Though I prize as I ought the good opinion of my fellow citizens, yet, if I know myself, I would not seek to retain popularity at the expense of one social duty or moral virtue.

Of public duty in crisis times he said:

The hour is certainly come when party disputes and dissensions should subside, when every man, especially those in office, should, with hand and heart, pull the same way and with their whole strength.

Measure by that yardstick of the immortal Washington the lives and public service of these colleagues of ours, who labored here to complete and preserve the structure of human society which he founded. Observe how that yardstick emphasizes their high stature. And while we have it in our hands, recalling that never were sound props more greatly needed to "uphold the glorious fabric," let us measure ourselves.

So we approach now the final thought. It is not only that we speak in eulogy of the honored dead. We thus offer the poor comfort of our sympathy to those who mourn in those intimate recesses of the heart into which even the sincerest friendship can not fully go. Always on such occasions the thought recurs and is repeated that words, though winged with all of human sympathy, falter and fail. But I like, in this hallowed, bicentennial year of Washington, to think of those who have ceased to labor here, in this building where he laid the corner stone, as being still of his devoted company in the eternal service of our country.

Reason—

Said Washington on an occasion of sorrow—

Reason, religion, and philosophy teach us to submit; but it is time alone that can ameliorate the pangs of humanity and soften its woes.

And on the thought of time I come finally to a parable which has to do with the vital part which such lives and public service as we now honor must ever have in the welfare of our people. It is a parable which comes to my mind whenever I see youth in training for usefulness, and when I ponder the end of lives devoted to good works.

I stood alone in the presence of the oldest living thing on all the earth, a towering sequoia tree in the midst of the California mountains. It was evening, and the shadows were those of a cathedral. For that tree age was not reckoned by years, nor only by centuries. Thousands of yearly cycles had passed over it in sunshine and in storm. Since it had come into being, the pyramids had arisen out of vast dreams of glory and the toll of slaves, and become the sepulchres of forgotten kings. Persia, Babylon, and Greece had known glory and decay. The eagles of Rome had screamed at the gates of Jerusalem, and the Son of Man had died there on the cross that all men might have eternal life. The epoch of Roman power had passed like a shadow over the wheat. The ancient had given way to the medieval. The medieval had merged into that more modern day when a bold, inspired adventurer breasted unknown oceans and found a new world in which that great tree, already grown immeasurably old, arose in silence and majesty, still hidden on a distant and undiscovered coast.

Yet the giant sequoia lived on, and in its later years the day came when it, symbol of eternity as it was, became embraced in the outstretched boundaries of the youngest of great nations, founded upon principles of justice and liberty even more eternal.

No other tree than the sequoia has more than a brief fraction of such a span of life. For ordinary trees a century or less brings the disintegration age. Their very sap comes to be the conveyer of disease. Fungus and rot attack them, and the winds lay them low. But overpassing them all, spanning the death of countless generations of lesser trees, that great sequoia has stood secure. Lightning could scar but never overthrow. Fire could but leave the mark of its passing, but not destroy.

So I sought the secret of its deathless age, and I recalled that in the place of such sap as flows in the veins of common trees the everlasting sequoia contains within itself an essence of such power that it is its own preservative.

It is so with our Republic. The wisdom of its founders; the justice of its institutions; the devotion of its people, young and old; the divinity of its purpose; and, not least of all, the service, the character, the guiding example of such public men as these 19 of hallowed memory—all these constitute that essence of preservation which, in the providence of God, shall forever flow in the living veins of our beloved country.

So we bid our colleagues who have gone on before us, farewell—in sorrow but with uplifted hearts. We mourn with their loved ones; and in bereavement we recall that, while all men must meet death somewhere on the way, these our colleagues were privileged to meet it on the open road, in the day of their service, with their honors full upon them. Generous, true friends every one, and very gallant gentlemen, who at the last were able to join voices with that other valiant spirit who sang:

Under the wide and starry sky,
Dig the grave and let me lie.
Glad did I live and gladly die
And I laid me down with a will.

This be the verse you grave for me:
Here he lies where he longed to be;
Home is the sailor, home from the sea,
And the hunter home from the hill.

Mr. Leonard Davis sang "Farewell."

Hon. WILLIAM B. BANKHEAD, a Representative from the State of Alabama, delivered the following address:

ADDRESS OF HON. WILLIAM B. BANKHEAD, OF ALABAMA

Mr. BANKHEAD. Mr. Speaker, since the selection of the Seventy-second Congress 3 Senators and 16 Representatives have been summoned by a very grim sergeant-at-arms to take their departure for another forum. We are here to pay our immemorial homage to our comrades who have gone away. Of necessity our eulogy must be composite and not individual.

If we were content to accept Cardinal Wolsey's unhappy lament, this ceremonial might well begin and end with his words:

This is the state of man: to-day he puts forth
The tender leaves of hopes; to-morrow blossoms,
And bears his blushing honors thick upon him;
The third day comes a frost, a killing frost,
And, when he thinks, good easy man, full surely
His greatness is a-ripening, nips his root,
And then he falls, as I do

To accept that bitter philosophy as a summary of life's achievements would make this an hour of despair—it would have us kneel at an altar devoid of the solace of assuring sacrament, whereas in its accepted spiritual significance it is an hour of triumph and reconsecration. We are here to honor men who honored themselves and the institutions of the Republic.

It appears to have become the popular fashion of late for Congress to be the target at which is aimed the bitter, if not vindictive, shaft of every calumny—the victim of every comedian's artless wit, the jibe and jest, indeed, of all that company of scribes who seem to have forgotten every kindly word in the vocabulary of praise.

We do not need to appeal to the living to vindicate the type of men who serve in the Congress of the United States. That this is, and has been, the training ground for many of our country's immortals is attested by the fact that 25 of the figures in yonder hall of fame are effigies of former Members of Congress. We are content to abide the judgment of posterity on a roll call of the dead.

Let us for a moment take the measure of these men. Let us appraise the average background and environment that nurtured their youth, the ambitions which fired their manhood, the qualities of heart and mind which in the esteem of their fellow countrymen made them worthy to take station in that place where Clay and Calhoun and Webster

and Lincoln had schooled their polemic genius "in a time remote."

The majority of them no doubt had their origin in plain places; out of a frugal and wholesome environment they grew. The common schools, the modest academies, the State university sheltered and inspired their younger ambitions to know more of this vast old world, of its men and measures, of its political philosophy and social institutions.

In maturer years the ambition for public service entered into their dreams, and it was given them to know that under our benign system of government, in the real lottery of life, there are no marked cards. That neither rank, nor pedigree, nor prerogative casts its sinister shadow across the thoroughfare of aspiration, and that the courageous man had a fair chance to cleave his way through all obstructions. Then the hard apprenticeship in the minor honors—the legislature, the district attorneyship, responsible business executive. And yet always out yonder a little farther away the vision of the National Capitol.

But not quite yet; the preparation is not complete. The hustings is a hard taskmaster; the opponent will be inquisitorial and relentless. What, ambitious man, do you know of the Federal Government? How deeply have you acquainted yourself with the essence and interpretation of its Constitution? How learned are you in the origin of party principles and government and the intricacies of their application to existing controversies? What are the ordered processes of your reasoning that qualify you to engage in congressional debate? And then the yet more intense application in the school of practical politics, the formation of favorable factions, the arduous exactions of the campaign, and then victory and vindication.

It may be fairly stated then that it is no little thing to come into this Chamber with the confidence and approval of a great constituency, bearing a commission emblematic of their trust and their affection. How contemptible the creature who would deliberately degrade such noble credentials. How exceptional the number of those who have been guilty of betrayal.

Thus briefly prefaced in the abstract is the typical beginning of the service of our brethren, and we are assembled to-day for appropriate meditation upon their end.

In between are the brief or long and patient years of extended service. Theirs the effort to see to it that representative and constitutional government for a free people did not succumb, that equality of opportunity under the law should always survive; that the restraint of the mighty and the protection of the weak be a legal fact and not an academic fiction. Theirs to hold to the ancient faith of the founders—to preserve the old fidelities of policy, to revere the precedents honorably established—but likewise to pioneer in new fields of remedy and procedure when the old order grew archaic and unstable. And there lies one of the distressing problems of congressional service; to make decision to abandon an established tenet of policy honored during the reach of years, but now found inadequate to meet the evolution of events and the fickle currents of public opinion. It is no easy thing to remove "the ancient landmarks thy fathers have set." And neither is it a trivial thing to choose a safer outpost than the old fortress to be abandoned.

Verily these men loved America with an affection which "hoped, and endured, and was patient." Theirs was of that same type of devotion which inspired the noble apostrophe of Richelieu:

All things for France,
Lo! My eternal maxim,
The vital axle of the restless wheels
Which bear me on—

Fortunately it is not given to us to raise the iron curtain of the major mystery and see them wherever they are. But we may be permitted to surmise that they yet may make forensic war; that their disciplined and ingenious faculties, though upon far nobler themes, may yet engage in challenge and reply; or having in that serener sphere put off the bur-

den of issues joined make penance for their wasted words in this life below.

How gracious a thing it is that there are no limitations upon the reach or, indeed, the ecstasy of our imagination in the exploration of the realm of the spirit.

Accepting such license, is it impossible to conceive that our departed friends have carried to the elder statesmen late tidings of the state of the Union?

To Washington that in his bicentennial a grateful Republic of 125,000,000 souls pays every human homage to its first Commander in Chief. To Jefferson that the declaration and the bill of rights, twin children of his brain, are yet the torch and sanctuary of human freedom. To Jackson that his "by the eternals" courage yet fires the hearts of men. To Lincoln that dissolution of the Republic expired forever at Appomattox and that his martyrdom ultimately wrought the healing of the Nation. To Wilson that his league still lives and, though yet aloof from us, has held the confidence of the majority of mankind.

In the beginning, I said that this should be an hour of triumph. It is so because it is an hour of peace. Buried deep in the heart of those commemorative roses, for this day at least, are all ancient grudges, all petty political and partisan feuds. The cadences of the hymns here sung have borne away the clamant harshness of all factional pride. The very softness of the silence within the Chamber is more eloquent in its subtle eulogy than are the phrases coined in the frenzy of debate by the mental ingenuity of men.

There is no occasion in this hour of reverie and contemplation to wear an armor for defense, or to lay hold of the lance for attack, or to use our little measures of intrigue. We lay by the weapons of warfare and gird on the mantles of amity and reconciliation.

On this day, surrounded by the generous exaltation of these obsequies, how feeble a fiction is that space out there called the center aisle. Yesterday the symbol of separation, to-day it is obliterated by the actual consciousness that a mere party label is a miserable device with which to measure the merits of a man.

Others will pay individual tribute to our departed friends on the printed page of our memorial volume. Justification could be found for singling out the eminent and outstanding public services of our lamented and beloved Speaker, NICHOLAS LONGWORTH; and yet, knowing him as we did, understanding the democracy of his nature, if he could be consulted, he would say, "No; not that; no word of praise for me that might disparage the others. We were all yoke-fellows in a common service, trying to pull together the burdens of our office."

There come many disillusionments with this public life. The way of ambition is not the way of peace. Real attainments here do not come by the processes of tranquillity and repose. The laborious route is filled with the hard stones of arduous labor, grinding details, petty and oftentimes discreditable jealousies, and disappointed aspirations.

But out of the welter of such strife and turmoil there comes to us all the one priceless compensation of real friendships, mutual confidence and respect. We held such sentiments toward all those gentlemen who have gone away. They have gone on an indefinite leave of absence, "on important business, the search of an answer to that question to which all the centuries have given no response: 'If a man die, shall he live again?'"

How can we find it in our hearts to believe that God will break faith with all the sons of men on the assurance of the words of Genesis:

And the Lord God formed man of the dust of the ground and breathed into his nostrils the breath of life and man became a living soul.

We may with confidence and assurance accept the philosophy of a sentence from Ingall's eulogy on Ben Hill, of Georgia:

Every man's life is the center of a circle. Within its narrow confines he is potential; beyond he perishes. And if immortality be a splendid but delusive dream, if the incompleteness of every human career, even the longest and most fortunate, be not per-

fect and supplemented after its termination here, then he who fears to die should dread to live, for life would be a tragedy more desolate and inexplicable than death.

Cornet solo, "Abide With Me," rendered by Mr. John Walker and the United States Navy Band Orchestra.

BENEDICTION

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following benediction:

And now may grace, mercy, and peace from God the Father, Son, and Holy Spirit abide with us and keep us always. Amen.

MEMORIAL ADDRESSES

DWIGHT WHITNEY MORROW

Mr. SEGER. Mr. Speaker, under leave granted I include the following tribute of Hon. HAMILTON F. KEAN, United States Senator from New Jersey, to Hon. DWIGHT W. MORROW:

On October 5, 1931, there passed into the Great Beyond the soul of the late Senator from New Jersey, my colleague and friend, DWIGHT WHITNEY MORROW. His passing closed a long and brilliant career of useful public service to his own State, to the Nation, and to the people of other nations, and bereft the world of an international figure whose wide sympathies, keen intellect, sound judgments, and wise counsels were never more greatly needed to help civilization find its way out of an economic and social morass.

Edgar Guest's lines well described this man who has gone from us:

"Men are of two kinds and he
Was of the kind I'd like to be.
Some preach their virtues, and a few
Express their lives by what they do.
That sort was he. No flowery phrase
Or glibly spoken words of praise
Won friends for him. He wasn't cheap
Or shallow, but his course ran deep,
And it was pure. You know the kind.
Not many in a life you find
Whose deeds outrun their words so far
That more than what they seem they are."

Like so many other American boys who have won deserved fame by ability, courage, and character, DWIGHT W. MORROW was the son of poor parents. Born in Huntington, W. Va., January 11, 1873, he was the descendant of pre-Revolutionary Virginia patriots on his father's side, while his maternal ancestors were among the pioneers who settled Kentucky. His father, a school-teacher, sacrificed himself to educate his children, of whom the entire five who survived each received a normal-school or college education, and all five taught school at some time in their careers.

DWIGHT W. MORROW early betrayed the scholarly qualities which marked him throughout life when he graduated from high school with honors at the age of 14. Too young and frail to immediately enter college, he worked four years as an errand boy in the county treasurer's office at Pittsburgh, the family having moved to Pennsylvania. An older brother had won an appointment to the Military Academy at West Point, and at the age of 18 DWIGHT entered a competitive examination for the same place. He won the examination, but the Representative from the district was unwilling to make the appointment and have two boys from the same family in the academy at the same time. It was not in the character of DWIGHT W. MORROW to be defeated by circumstances, even at that early age, and a few months after the denial of his military aspirations he entered Amherst College, where among his fellow students were three whose lives and careers were destined to continue closely linked with his own—Calvin Coolidge; Harlan F. Stone, now a Justice of the Supreme Court; and BERTRAND H. SNELL, present Member of the House of Representatives.

The scholarly tendencies evidenced in high school developed and marked young Morrow's college course. His especial proficiency in mathematics and philosophy helped to qualify him for his later success in the fields of law, finance, diplomacy, and statesmanship.

As many other great Americans have done, DWIGHT MORROW worked his way through college, tutoring other students and editing a literary magazine. He won most of the prizes in mathematics and graduated at the head of his class. With the cash prizes he bought railroad tickets for his parents to go to Amherst to see him graduate. His oratorical ability was manifest in his college days, and at his graduation he won the two prizes for public speaking. His classmates voted him the member of the class most likely to succeed. In his contest he voted for Calvin Coolidge, and Coolidge voted for him.

After graduation from Amherst, young MORROW secured a clerkship in the county offices at Pittsburgh, where his father was principal of the normal school, and saved enough money to enter Columbia Law School in 1896. Here he again worked his way through by tutoring. Graduating from the law school, he became a clerk in the law offices of Reed, Simpson, Thatcher & Barnum in New York, at the head of which firm was Thomas B. Reed, former Speaker of the House of Representatives. Although other law stu-

dents were glad to secure such clerkships without salary. Mr. Morrow explained to Mr. Simpson of the firm that he could not afford to do this, and he was paid \$50 a month to start. In seven years he was a member of the firm. As a lawyer, his faculty for stripping issues of nonessentials, bringing about agreement between conflicting interests, and organizing new enterprises won for him the confidence and respect of leading financiers, and he was invited to become a member of the firm of J. P. Morgan & Co., where he became an invaluable adviser to the financial world.

When the Great War broke out credits for all the allied nations were arranged through Morgan & Co., and they became suddenly the financial center of the maelstrom. In this emergency the knowledge of higher mathematics which Mr. Morrow had gained from Professor Olds at Amherst aided him in solving many of the intricate problems of international financing involved in the process of changing the United States from a debtor to a creditor Nation. William G. McAdoo, Secretary of the Treasury, appointed him as the head of the war-savings campaign in New Jersey, and he helped to originate the national thrift campaign. His speeches were used by the war-savings and Liberty loan committees throughout the country. President Wilson made him a member of the Allied Maritime Transport Council and the Allied Board of Supplies. Much of the work of these commissions, which consisted in amalgamating sea-transportation facilities and allotting them to the nations on a basis of largest value to the allied cause, was done in secret. DWIGHT MORROW worked best that way. He sought results, accomplishment—not publicity or honors. In fact, he refused a military commission offered him in recognition of his services to the American Expeditionary Forces, but could not refuse the distinguished-service medal given him by his own country nor the decorations presented by France, Italy, and Greece in token of their appreciation of his war work.

The drafting of DWIGHT W. MORROW for difficult public tasks began in his own State many years ago and became a National and State habit. In 1917 Gov. Walter E. Edge, now ambassador to France, drafted Mr. Morrow to serve upon the New Jersey prison inquiry commission, of which Mr. Morrow became chairman. There had been an indignant demand from the citizens and newspapers of the State of New Jersey for a radical reformation of the treatment of inmates of the State penal and correctional institutions.

The commission, under Mr. Morrow's leadership, made an exhaustive study of the subject and in 1918 made its report to Governor Edge. The report consisted of two volumes, one of which was a history of the penal and correctional institutions of the State of New Jersey from Colonial times down. The legislature of the State adopted the recommendations of the commission and set up by statute the department of charities and corrections, the name of which was later changed to the New Jersey State Board of Institutions and Agencies. Mr. Morrow served as chairman of the new department until 1920, when he retired. The system of institutional operation and control which was established and is being conducted in New Jersey as a result of the work of the prison inquiry commission has served as a model for other States after they have made extensive studies of systems elsewhere. In 1920 the national committee on prisons and prison labor gave Mr. Morrow a gold medal in recognition of his accomplishments in prison reform in the State of New Jersey.

In September, 1925, President Coolidge summoned Mr. Morrow to service as a member of the board which President Coolidge created for the purpose of "making a study of the best means of developing and applying aircraft in national defense." The board consisted of nine members, who elected Mr. Morrow their chairman, and was known as the President's aircraft board. The board made an intensive study of the subject during the fall of 1925, and at the end of November rendered its report to President Coolidge, which he transmitted to Congress and which Congress adopted almost in toto. Through his service as chairman of this board and also as trustee of the Daniel Guggenheim Fund for the Promotion of Aeronautics, Mr. Morrow helped to build and strengthen aviation.

When in 1927 President Coolidge appointed Mr. Morrow ambassador to Mexico, the relations between that country and our own were so strained as to threaten in the minds of many a continuance of friendly diplomatic intercourse. Differences of opinion over certain Mexican laws, particularly those affecting petroleum, were very acute. In selecting Mr. Morrow as ambassador to Mexico President Coolidge threw upon him the Herculean task of settling these questions and at the same time of restoring relations between the two countries to friendliness. How thoroughly he won the confidence of the Mexican people by his friendliness, sympathy, and understanding, his rare tact and diplomacy, and how successful he was in his handling of the difficult task which he had undertaken, is too well remembered to need repeating here.

In January, 1928, Mr. Morrow went to Habana, Cuba, as a member of the Sixth Pan American Conference, having been appointed to that conference by President Coolidge as one of the representatives of the United States.

While concluding his work in Mexico and preparing to act as a delegate to the London Naval Conference, Mr. Morrow was drafted by the Republican Party, to which he had long given allegiance, for more service to his own State. A candidate for the United States Senate was needed who could not only ably represent the people but could also reconcile differences within the party and insure party success. Told over the long-distance telephone in Mexico City of this need and of the agreement of party leaders that he was the one man who was their unanimous choice, Mr. Morrow accepted the summons as another call to duty.

Nominated by an overwhelming vote in the Republican primaries, Senator Morrow was elected by a plurality of 250,000 at the polls. His political beliefs were well summed up in his few campaign speeches, from which I quote these sentences:

"Despite all criticism of party government, we have found no way of making democratic government function without party machinery and party responsibility."

"If I am elected to the Senate, my only obligation will run to the voters of the State and to my own conscience."

And again:

"The constituency may properly demand of its representative that he be a public servant, but they would and should despise him if he agreed to become a slave."

As a Senator, Mr. MORROW's all-too-brief career was marked by the same earnest application to his duties, the same studious effort to understand questions and issues and rid them of non-essentials, and the same tolerant sympathy for the views of others, though he differed from them, as had characterized his career in college, in the law, and in the realms of business and diplomacy.

In addition to his work and interests, to which I have already alluded, for many years he was a trustee of Amherst College, from which he graduated in 1895. He was also a trustee of Hampton Institute, a director of Union Theological Seminary, of the New York Association for Improving the Condition of the Poor, and of the Russell Sage Foundation. He had been a director of the Commonwealth Fund, a trustee of the Carnegie Endowment for International Peace, and was a Regent of Smithsonian Institution at the time he was elected to the United States Senate.

Few men in any generation have given themselves with greater zeal and more patriotic devotion to the undivided service of their country and their fellow men than did DWIGHT W. MORROW in the days when the world was mad with war, and since. Where there was need for help in a worthy cause he never failed to heed the summons. One of his great services to humanity was as chairman of the committee which raised funds for the relief of earthquake and fire victims in Japan. His last public utterance, only a few hours before his great spirit burst the bonds of his frail body and passed to the great beyond, was an appeal for relief funds to help Jewish people.

DWIGHT MORROW's death is a great loss to his devoted wife, who has shared his pleasures and his trials for so many years. His death is a great loss to his children, to whom he was a father and companion and to whom he has been a counsellor and guide. His death is a great loss to the State of New Jersey, whose devoted servant he was, but it is a greater loss to the Nation, which in these times can ill afford to lose a man with such clear vision, sound judgment, and constant and able devotion.

As an epitome of his life, I might quote Kipling:

"He scarce had need to doff his pride or slough the dross of Earth,
E'en as he trod that day to God so walked he from his birth."

MEETING IN MEMORY OF THE LATE DWIGHT W. MORROW HELD BY HIS LONDON FRIENDS AT THE AMERICAN EMBASSY IN LONDON ON WEDNESDAY, OCTOBER 14, 1931—HIS EXCELLENCY THE AMERICAN AMBASSADOR (GEN. CHARLES G. DAWES) IN THE CHAIR

His Excellency the American Ambassador, General DAWES. We all meet as the personal friends of Senator Morrow. There are very few in this room—if, indeed, there is anyone—of whose friendship Senator Morrow himself has not spoken to me. It is very difficult for me to speak of him in any way but in terms of personal bereavement—in fact, it is difficult for me to speak at all. I recognize, as you all do, that his passing is more than a personal loss; it is a loss to the American Nation and to the world. Nature seldom decorates a man of genius with those human qualities and that exceptional character which were possessed by DWIGHT MORROW and which are really needed to give high ability its greatest effectiveness and usefulness in the world. DWIGHT MORROW's genius was such as won recognition in any company in which he might be; but there was always an equal recognition of his lovable human qualities and his strong character. Those qualities of which Sir Arthur Salter recently wrote in a very impressive tribute to him, which was published the other day, were qualities which at once struck anyone who was his associate. The first was an uncanny power in a discussion with any man, no matter what his personal feelings may have been, to put himself in the other man's place. There are many here who have been in negotiations with him, and no one of them could have failed to notice his predominant quality of fairness. He would never enter into any discussion in which he did not see the other man's side and make the other man feel that he knew all the difficulties, the embarrassments and the impediments which had to be faced and overcome before the other could come to his way of thinking. He was recognized as the first in practically every kind of association into which he went—technical, political, and civilian.

Seeing Gen. Sir Travers Clarke here, I remember at one time in the war when I went to British Army headquarters he asked me if I knew Mr. DWIGHT MORROW. He added, "I wish you would bring him to headquarters the next time you come, because I should like to see him and know him. I am told at the admiralty that his diagnosis of the allied shipping situation in the world was such that it determined admiralty policy." He was a mathematical genius, as Poincaré and Painlevé are, and was masterful in solving technical questions. Sir Arthur Salter, Sir William Malkin, and Mr. Craigie, who are with us, have all worked with

him in such matters and will testify to his unusual ability in technical discussions, as well as to that faculty for putting himself in the other man's place which is never easy in technical differences which especially involve a pride in opinion. Then, above all, he would trust others. He never dealt with anybody without expecting him to trust to his own honesty, nor without his own trust in the honesty of him with whom he was negotiating. That made him immensely effective, for human qualities have just as powerful an effect in negotiations between nations and classes as in negotiations between individuals. In the Paris papers there appeared a tribute to DWIGHT MORROW, written by Mr. Robert Davis, which expresses what I am trying to say so much better than I can that in closing I will read a portion of it. Mr. Davis, at one time his pastor, was always an intimate friend. He said:

"DWIGHT MORROW was a small-town man, as Abraham Lincoln was a small-town man. He viewed the people about him as interesting and separate individuals, not as a human mass. He knew his neighbors. He knew why they worried, about their children, their investments, about their gardens, their family pets. He seemed to like individuals for themselves. He seemed to be reflecting upon what would help them to live more generously, about how they could get ahead in the world, how they could conquer their personal failings. During his mature life DWIGHT MORROW had three notable characteristics. He kept the mind of a mathematician, which had made him a prodigy as a boy, but this mind found its pleasure in the dissection of social misunderstandings. He delighted in the orderly analysis of a situation, removing the extraneous, layer by layer, like a surgeon; going deeper and yet deeper, until he confronted a single defined issue. A second characteristic was his small-town psychology. He approached any stranger, any stranger nation, any opposing politician as a small-town citizen meets a trusted neighbor. He assumed that they were like himself. He was prepared to interpret them, to represent them, because they were familiar to him. His third trait was an instinct for putting himself in the other man's place. Without effort he ignored himself and his own side of the question. The whole center of the picture was occupied by the other man's rights and advantages. Feeling his unforced sincerity, his opponents were disarmed; suspicion relaxed. They felt that they were with a friend. It was the union of these three traits that made DWIGHT MORROW a negotiator such as has seldom been equaled. If DWIGHT MORROW had lived it is possible that he would have reached a very high place in our Government. Should this have happened, he would have kept on dissecting every situation, without haste or timidity, interpreting men to themselves and to one another, showing them that, after all, there was some simple remedy, that quarreling would not help. As advocate, as ambassador, as Government envoy, as patriot, he showed people that if one's enlightened self-interest were known, there would be little cause for rivalry or anger."

I want also to read a few words which ex-President Coolidge, who held him in deep affection and respect, wrote of him but a year ago. He closes his tribute to Senator MORROW in these words:

"I first met him as the representative of the great mass of our fellow citizens which we call the people. There he will always remain, just one of them, unencumbered by his property, thinking their thoughts, working, working tremendously for their success. I have seen him develop into a ripe scholar, an able lawyer, a great business man, a wise statesman, and a devoted husband, father, and patriot. When most men would retire he seems always just beginning—beginning some new service for his friends and neighbors, for his country, and for humanity. It is the glory of the United States that it can produce such citizens."

I have asked a few here to say something of Senator MORROW, and I will call upon one of his very dear friends, the ambassador of France, M. de Fleuryau.

His Excellency the French Ambassador, M. DE FLEURYAU. I associate myself with all that General Dawes has said with reference to the late Senator MORROW. I came first in contact with him in 1917 when he came to London during the war. There are many here who worked with him and with me at that critical time which has left very, very interesting memories. The characteristic of DWIGHT MORROW, as he comes to my mind, was good will. He felt a very earnest good will toward the work he was doing and an extraordinary good will toward anyone who was associated in that work. That good will was helped in the most remarkable way by a sort of movement in his mind. He showed an extraordinary activity of mind—what we call in French "verve." He had verve, and he had courage, which is always a great characteristic in these serious times of our lives. He had, too, what was very peculiar, a curious absent-mindedness which added to his personal charm. I was his friend. I did not see very much of him for several years, but I had twice, while we were separated, some very delicate communications to make in his country. I wrote to him, and he gave me help for which not only I but my Government was very grateful. During the great financial difficulties we had he was a very good adviser to us. When I saw him last in the politics of his country he had become a Senator. I had then great hope for his advance in those politics, but now those hopes are shattered, and I feel very deeply the loss of this gentleman.

The CHAIRMAN. I will ask his excellency, the Italian ambassador to add a word.

His Excellency the Italian Ambassador, Signor BORDONARO. I am very grateful to the American ambassador for having asked me to be present at this meeting to-day and given me the opportunity of paying a personal tribute to the memory of Mr. DWIGHT MORROW.

I was not an old friend of Mr. MORROW. I only met him for the first time when he came over for the naval conference last year. But since then I was fortunate enough to be on the best terms of friendly relations with him. I saw him last March when he was leaving to spend a holiday in Italy; he was to stay some weeks in my native town of Palermo. Mr. DWIGHT MORROW was not only a great American citizen and statesman, but he was one of those great international brains whose value is particularly needed in our present difficulties all over the world. His loss is not only a loss for America but a universal loss. The news of Mr. DWIGHT MORROW's disappearance was very deeply felt in Italy, where he had many friends. He was considered as a true friend of Italy and had several opportunities to prove himself one. I wish that my sincere tribute to his memory to-day should be taken also as a tribute from the country I have the honor to represent.

The CHAIRMAN. I will now ask the Japanese ambassador, who was a close friend of Mr. MORROW, to speak.

His Excellency the Japanese Ambassador, Mr. T. MATSUDAIRA. It is with heartfelt emotion that I speak a very few words to pay my tribute to the memory of a great American, our mutual friend, the late Senator DWIGHT MORROW. It was about four years ago when I was in Washington that I first met Mr. MORROW. Even before my personal acquaintance with him I had known that he had interested himself in the promotion of international good understanding among the nations, that he had paid great attention to the Pacific problems, and that he had constantly worked, though not officially, or ostensibly, in the cause of friendship between America and my country. Even in that first interview with him I was greatly impressed with his genial character, his legal mind, his common sense, and his high ideals of statesmanship. This impression was deepened when I met him again in London as a colleague at the time of the naval conference of London last year. I had other occasions in which to be in association with him closely and came to appreciate that his inclusion in the American delegation was an important factor in the successful issue of that historic conference. His ability and character asserted themselves most remarkably when difficulties and complications beset the path of the deliberations. His keen mind, his perseverance, and his remarkable power of easing the tense atmosphere, whenever it was endangered, were most essential in those anxious days.

The world is now passing through a very difficult time. Great questions, unexampled in history, are confronting us. The questions of finance and disarmament are demanding the whole-hearted exercise of human energy, enterprise, and statesmanship. It is a time when a man of Mr. MORROW's experience, conviction, foresight, and strength is most sorely needed. His untimely death is not only lamentable for his own country but for all the world. The cause of the peace and prosperity of the whole of humanity will suffer in the loss of this great American statesman.

The CHAIRMAN. I will now ask the Mexican minister to say a word.

The Mexican Minister, Doctor ORTIZ. May I offer my humble homage here to the memory of the late Mr. MORROW, looking back to the time when he was ambassador in Mexico and to his many personal virtues.

It was at a difficult time that he came, as the highest representative of the United States, to my country; and he accomplished his task very well indeed, bringing to it a determined will to smooth away the obstacles in the path of our traditional friendship. I dare to say that it was his good will and his readiness to see and understand our national problems, not less than the indefatigable devotion he put into his task, that was the clue to his success. If to these qualities are added the personal charm and frankness of Mr. MORROW, which gained for him without effort the confidence and friendship of the Mexicans, it is easy to understand that he made one of the best American ambassadors we have had in Mexico.

Being myself absent from Mexico for a long time, I only had the opportunity of making his acquaintance during his last visit to London. I consider it a privilege to be able to add my tribute to-day, from my personal and pleasing memory, to that of the others who have spoken. It often happens that foreigners who come to Mexico with the good wish to conquer hearts are themselves conquered. Whether or not that explains the kind and sincere way in which Mr. MORROW always referred to my country, we could not but appreciate it greatly.

Through all the many worries of his busy life, endeavoring to do good to his country and to help humanity in the solution of the many problems of the day, he longed in his heart for peace and rest; and hoped to find them in his pretty, tiny house at Cuernavaca, which he was keeping for that purpose. If his premature death deprived him of the well-deserved rest he had planned, in a higher form he found it at last, leaving to his country and his fellowmen the fruits of his righteousness and of his services for mankind.

The CHAIRMAN. I will ask Mr. Montagu Norman, one of Mr. MORROW's very old friends, to say something.

Mr. MONTAGU NORMAN. This is not only a unique occasion, the like of which I believe not any of us has seen before, but we must recognize that it is also an occasion of sadness and of emotion. I, for my part, and perhaps the rest of you, his personal friends, can not contemplate the death of DWIGHT MORROW, or the world without him, without wondering what death means, without thinking, as we are all accustomed to think when death comes near to us, of mortality and immortality,

and whether indeed in spite of his death we shall continue without his good will and succor.

But that is not the side to which I wish to direct your attention. I have been wondering, as I came along here, why it is that we, as the ambassador has said, his personal friends, are meeting together in this unique manner on this unique occasion. We have heard it said, and I know well, that Senator Morrow was eminent as a mathematician, eminent I believe as a lawyer, as a banker, as a Senator, and certainly eminent in his desire and craving for public service. Yet I venture to say that if it were only for those reasons that we knew him we should not be gathered together as we are. It was because of another quality which he had, and which we all of us recognize, although perhaps we never put it into words. That quality was that we met him and he met us as a man. That is the category in which we knew him. That is the way we met him. If you may think that the term man is inadequate, I will say as a gentleman, or as a nobleman. Allow me to go one step farther. It was not the things that he did, but what he was, as I say, that endeared him to us, nor was it because he was clever or far-sighted, or imaginative, or any of those qualities which we recognize and many of which have already been mentioned this afternoon, but from my point of view the reason I feel and have felt toward him as I do is that he made me feel that those were my qualities and not his. The very difference in dealing or speaking with Senator Morrow, whether when he was a host, or whether when he was in business, or whether when it was merely passing the time of day, was that whereas at the beginning I felt a worm, at the end I felt a man. As I went along listening and talking to him I could not but be conscious each time that he lifted me from the dull and unimaginative way in which I was accustomed to approach many of the subjects which we discussed, and brought me, as it were, on to that level which, so far, I had believed he alone could occupy. Mr. Ambassador, first of all, it is because he was a man and a gentleman and a nobleman that I treasure his memory. Secondly, it is because for all his qualities he, with a generous hand, imparted them to me, and because I know that I have been the better for such contact as I have had with him. So I have gladly accepted your invitation to pay my small tribute to him, to mourn with you his death, but to be thankful for his life.

The CHAIRMAN. I will ask Mr. R. L. Craigie, of the Foreign Office, who was very many times associated with Mr. Morrow, to say a word.

Mr. R. L. CRAIGIE. After what has been said here this afternoon I feel it would be almost a presumption on my part to attempt to pay any general tribute to DWIGHT MORROW's character, life, and career. But there were two periods in his career when I had an especially advantageous opportunity of watching him at work, and I may perhaps refer briefly to those periods. The first was the period of his ambassadorship in Mexico City. When he went to Mexico City there were many difficulties in the way of American-Mexican relations, many big and difficult problems which had so far eluded solution. To a third party they seemed almost insoluble, and yet when Mr. Morrow arrived at Mexico City he set to work with courage and energy to master those problems, and not only to master them but to win the confidence of those with whom he was negotiating. I feel sure the Mexican minister will bear me out when I say that, viewed from our neutral standpoint, in those three years, when he was ambassador in Mexico City, a complete change in the situation was brought about. When I say from the neutral standpoint, of course, we were not entirely neutral because we, with our great interests in Mexico, benefited greatly from those happy changes.

The second period during which I was able to see him at work at closer quarters was during the London Naval Conference. When he arrived here he could have had no previous, or very little previous, knowledge of those difficult technical and complex questions which we had to discuss, connected with guns, categories, displacements, and so on. Yet within a very short time of the opening of the conference, there was, I believe, no man who had a better mastery of those problems. He set to work with his singleness of purpose, his tact and his resourcefulness to help him in the solution of those problems one by one. I am sure Sir Maurice Hankey will bear me out when I say that that conference owed a very deep debt of gratitude indeed to DWIGHT MORROW. When he crossed the ocean to come to this country he had already won our great esteem and admiration. When he left, he carried away with him our deep affection as well.

The CHAIRMAN. We will conclude the meeting by hearing one more friend of Mr. DWIGHT MORROW—Mr. Charles Selden, president of the American Press Association.

Mr. CHARLES A. SELDEN. Mr. Ambassador, the last time I saw Senator Morrow was in April of this year in the public lobby of the Parliament buildings. Much to my surprise, I saw the Senator standing in the middle of a long, dreary queue of ordinary sightseers, waiting for the policeman to let them go upstairs to the gallery after the House of Commons had finished saying its prayers. Of course, I was surprised, and I said: "Why, a Senator, an ambassador, and a delegate to the naval conference ought not to be in a queue like this; you ought to be going comfortably to the distinguished strangers' gallery." He said: "Well, I am not an ambassador any more, I am only a Senator, and the naval conference was over a year ago. I do not want to be a distinguished stranger; I just want to go upstairs and hear Snowden." He did, and he sat throughout the afternoon five rows back from where the foreign correspondents sit. The incident was characteristic of the things in Senator Morrow that made him beloved of news-

paper men wherever they met together, whether in Mexico or in London, in New York or in Washington, or in his own State of New Jersey, where he had before that been elected by the unprecedented majority of 200,000 to the Senate, chiefly because he had the courage to say to America what no other Republican candidate throughout the United States had dared to say. We liked him also because he did not know how to boast, even when he was telling us about the big affairs in which he himself had participated. The nearest he ever came to it—he never tried—was when he told us that he had persuaded some of his British colleagues to work on a Good Friday and through the Easter week-end. As a result of that feat, he had finished the drafting of the naval treaty in four days. Mr. Stimson had previously expressed the hope that it might be done in 10 days, allowing time out for the English Easter.

But it was not merely as a genial host and good story-teller that Senator Morrow had his relations with foreign correspondents. We hear a great deal now about the necessity for sympathy, confidence, and good understanding among the countries. Journalists working abroad naturally feel that they have some legitimate, although unofficial, part to play in producing that understanding. But it can not be done without the help, sympathy, and confidence of the official diplomats; and that was what we always had from Senator Morrow. He did not come into American politics and diplomacy until some years after diplomacy had begun to call itself "open"; and Morrow took the idea of openness very seriously, and enabled the correspondents to render better service to their papers, to the people of the country from which they came, and to the people of the country to which they were accredited.

The CHAIRMAN. That will conclude the meeting. I will wire, with your permission, a message of sympathy to Mrs. Morrow.

Mr. SEGER. Mr. Speaker, under the permission granted to extend my remarks, I submit the following statement of Hon. W. WARREN BARBOUR, of New Jersey:

The passing, on October 5, 1931, of DWIGHT WHITNEY MORROW was an irreparable loss, not only to the State and to the Nation but to the world. At a time when even the wise men grope blindly for the distant ray of sunlight to lead them and their kind from the economic and social morass into the pure light of day, the wide sympathies, the keen intellect, the logical judgments, and the wise counsels of this true American can scarce be spared.

DWIGHT W. MORROW's rise to the heights of leadership over his fellow men is the typical story of the early struggles and hardships of the American youth, who, overcoming innumerable obstacles, continues unswerving on toward the goal. As a youth at Amherst his abilities were quickly recognized, and he was voted by his classmates the student most likely to succeed in later life. His proficiency in mathematics and philosophy during these years of study were to come in good stead when he reached manhood. It affords some additional insight into the character of this man when we hear that the prize money awarded him in a contest in mathematics was spent for railroad tickets so that his father and mother might attend his graduation.

Securing a clerkship in the county offices at Pittsburgh following his graduation, young Morrow saved enough to enter Columbia Law School, where his ability to strip issues of their unessentials was readily recognized.

His rise in the field of law was rapid, and he was successively advanced to positions of high trust, finally becoming a member of J. P. Morgan & Co. The coming of the World War saw him appointed as head of the war-finance campaign, and he assisted in formulating the national thrift campaign plan. President Wilson, disregarding party lines in his quest for high ability, made him a member of the Allied Maritime Transport Council and the Allied Board of Supplies. He sought and achieved the thing that was the pressing demand of the day—results. He achieved it without fanfare and without the beating of drums; but when DWIGHT W. MORROW had finished a job, there were few, if any, improvements that could be made upon it.

The rest of the story is still fresh in the minds of the people—his aid in drafting the first workman's compensation law enacted in New Jersey, his service on the prison inquiry commission and on President Coolidge's air board, his successful efforts to rehabilitate the finances of Cuba, and his culminating triumph of all in the field of statesmanship—the reestablishment of good will between this Nation and Mexico.

Concluding his work in the republic of our southern neighbors, he was sent as a delegate to the London Naval Conference when the call to serve his State in the halls of the United States Senate was sounded. He responded, and the overwhelming plurality given him by the electorate was a tribute to the respect in which the man and his abilities were held by men and women of all parties.

Few men have devoted themselves so unreservedly to the public welfare as did DWIGHT MORROW. In his hands any problem was assured of a safe and sane solution.

His passing leaves the world bereft of a charitable figure, a true gentleman, a talented statesman, and a heart which beat in accord with all of humanity.

THADDEUS H. CARAWAY

Mr. GLOVER. Mr. Speaker, this day has been set aside as memorial day to honor those of our ranks that have fallen asleep during the year just closed. I desire to speak espe-

cially of one of our ranks from the great State of Arkansas, the Hon. T. H. CARAWAY. It was my pleasure to know him intimately for many years, and to know him was to love him. He was a man of positive conviction. You never had any trouble to find where he stood on any of the great questions that confronted the Nation. To say that he has been missed from our ranks does not express it. His influence for good was felt throughout the Nation. He was an able speaker and always held the attention and esteem of his colleagues.

While he devoted the greater part of his time to the practice of law, Senator CARAWAY gave much of his work to the upbuilding of his State, and was ever a prominent figure in the political arena. He possessed untiring energy and was a diligent student. He was one of the most eminent lawyers in Arkansas and was actively engaged in the practice of law.

In his political life he was frank and outspoken. It was his belief that a candidate should stand upon principles, and there was never any difficulty in finding where he stood on public questions. Few men were ever better equipped for the duties of a statesman, none more sincere and honest.

It was but natural that his State should call him to many public offices and finally crown his political life with a commission to the Senate of the United States.

We sympathize with his family that he left behind to mourn his loss. He has gone from us, but will never be forgotten by those of us who loved him. May we emulate his great example of loyalty and profit by his statesmanship.

It is with a feeling of deep personal loss that I say these last few words in memory of my friend, whose nobility of character will ever be an inspiration to the youth of the Nation, whose life is worthy of the highest emulation.

Under the leave granted to extend remarks in the RECORD, I include the following statement of his colleague, Hon. JOSEPH T. ROBINSON, United States Senator from Arkansas:

Service in either branch of the Congress during the last few years has been marked by notably increased duties and responsibilities. The centralization of power and administrative authority in the Federal Government has been rapidly growing during the last 25 years. The process appears to have been quickened since the beginning of the economic depression in October, 1929.

There is hardly a member of the Congress, however familiar he may be with the details pertaining to national legislation, who has not felt the strain incident to the confusion of national policies and the disappointment and dejection incident to the futility of experiments by the lawmaking authorities with schemes designed to restore confidence, revive business, and relieve unemployment.

Many lawmakers, as well as individuals engaged in the various spheres of private enterprise, having failed to safeguard their physical resources, have broken down under the pressure, and more than a few have been called prematurely by death.

The senatorial associates of Senator THADDEUS H. CARAWAY were familiar with his peculiarities of disposition and knew that it was his custom to work almost continuously, seldom indulging in any form of recreation or amusement. Long hours of confinement in his office and in the Senate, with little outdoor exercise, undermined his naturally strong constitution and so reduced his vitality that he was unable to mobilize the vigor and strength essential to recovery from a surgical operation which he found it necessary to undergo during the vacation of Congress in 1931, just at a time when his capacity for usefulness to the public was greater, by reason of his experience and diligence, than at any other period in his prolonged public career.

Distinctive mannerism, occasional sensitiveness, and quick resentment of unjust criticism respecting his position on public issues; exceptional clearness of thought and expression and readiness of witty and humorous retort, gave to Senator CARAWAY a prominent and secure place among the foremost debaters of his time.

Few renowned public men with whom it has been my privilege to be intimately associated have brought to the performance of their duties a broader experience than Senator CARAWAY enjoyed. Trained to hardship and self-reliance in early youth, he acquired while serving as a teacher in the public schools a knowledge of human nature which proved of undoubted value when the obligations and responsibilities of maturity required a measure of self-restraint not always consistent with that impulsive action to which Senator CARAWAY was often prompted by nature.

Before becoming a member of Congress, Mr. CARAWAY served for several years as prosecuting attorney in a district in eastern Arkansas embracing counties comprised in the first congressional district of that State. It is doubtful if the entire country has produced a more effective and successful public prosecutor. The ability to examine and cross-examine witnesses in such a manner as to uncover facts and separate them from conclusions, the power to impress upon courts and juries the significance and relation of material circumstances, are among the indispensable attributes of great advocates. Mr. CARAWAY contributed to the suppression of crime by the fearless prosecution of lawbreakers and by demonstrating his ability to secure convictions in all trials when justified by the evidence.

Entering the House of Representatives in 1913, he served with distinction throughout the trying period of the World War and gave hearty support to President Wilson in his measures for the successful conduct of the great conflict. Indeed, he was prompted to contest the reelection to the Senate of Hon. William F. Kirby, who succeeded Senator James P. Clarke (the latter having died a few months before the United States entered the war), on the ground that Senator Kirby had not been sympathetic toward the war policies of President Wilson. The triumphant election of Senator CARAWAY brought him into a new and broader sphere of usefulness where he quickly took a place in the first rank of able and patriotic Senators.

It would be interesting to review his work as a member of the Committee on Agriculture; however, the appropriate limitations on this address hardly permit of the discussion in detail of the measures he proposed. It was one of the bitterest disappointments Senator CARAWAY ever knew when the farm marketing act was passed through the influence of the national administration without the inclusion of either the equalization fee carried in the McNary-Haugen bill or the export-debenture method of agricultural assistance, which he took the initiative in preparing.

As a member of the Judiciary Committee, Senator CARAWAY's training and experience in the practice of the law, his comprehensive grasp of the principles of the Federal Constitution, made him a powerful factor in shaping and controlling the legislative measures which came from that great committee during his service as a member of it.

Extraordinary ability as an investigator, facility for mastering and mobilizing facts, unusual talent in stating and in presenting them, diligence in the performance of duty; severity, even bitterness, in the face of opposition, yet tenderness and sympathy toward all distress and suffering, combined to make for Senator CARAWAY a character and career which has left a lasting influence for good citizenship and wholesome government in the memory of the many thousand friends who mourn his departure.

WILLIAM JULIUS HARRIS

Mr. TARVER. Mr. Speaker, the wave of grief which swept over the State of Georgia on the evening of April 18, 1932, when news went out from Washington that Senator HARRIS had died, was such a spontaneous and genuinely sincere tribute on the part of the 3,000,000 people whom he had served to the sterling character and accomplishments of the man that the mere addition of words by one individual can add nothing to it. Throughout the news articles which appeared in all of the papers of the State at that time there ran one expression which impressed me deeply, and that was that in his passing the people of Georgia had lost a "friend." Not the accomplishments of his years of public service, many and varied as they were, received emphasis; not the numerous and high honors which had been justly bestowed upon him by his State and Nation; but the fact that in Senator HARRIS every man, woman, and child in Georgia had a "friend"—that was the outstanding feature of private and public comment.

And it was the strength of the man, in his political career. It was not his "the applause of listening senates to command." He made no pretensions to the gift of oratory. He was not showy in his service to his people. But the humblest citizen of Georgia could bring to him his trouble and receive the response of a kindly heart, willing and anxious to give aid wherever it might be rendered. The attainment of distinction, position, and power made him humble and anxious to be worthy, not arrogant nor proud. Too many of our public servants feel that their selection for public place is a selection to rule and not to serve. It was not so with him. WILLIAM J. HARRIS in the Senate was as close to the ordinary man as he was on the streets of his home town before any public honor ever came to him.

Twenty years ago I served with him in the Georgia Legislature. Then, as throughout all of his career, he felt his obligation to the masses of the people, and disclosed that feeling by his legislative work. He was not a demagogue. He did not seek to win the approval of the unthinking by unjust attacks upon the interests of those of his constituents who were wealthy or powerful. He represented them also and gave to them every legitimate assistance in his power. But throughout his long career no man ever suspected that he was subject to the control of any special interest, nor that he viewed his obligation to the humblest farmer or workingman in his State as less sacred than that which he owed other classes of our citizenry.

When I came to Washington as a Member of the Seventieth Congress, with all of the lack of knowledge of practice and procedure in Congress which afflicts every new Member,

he found time from his numerous duties to inform, advise, and assist me in every possible way; and he continued the closest cooperation and accord with me in the more than five years that followed until his death. In greater and more poignant degree than those who did not work with him, I mourn the passing of a friend; an able, powerful, honest friend. I know—as who of our people does not—that Georgia never sent out from her red clay hills into her public service a man who loved her more, and never received back into her soil the ashes of a man who was by her people more beloved.

Mr. RAMSPECK. Mr. Speaker, in the death of its late senior Senator **WILLIAM J. HARRIS**, Georgia has lost a most unusual public servant.

Senator **HARRIS** devoted himself untiringly to the interests of the people of his State. He was never too busy to attend diligently to any matter in which one of his constituents was interested. No man or woman was too humble to command his best efforts.

For many years he ably represented the State of Georgia in the Senate. He rose, by seniority of service, to the top of the Democratic side of the great Senate Committee on Appropriations. He held other important committee assignments. These arduous duties, however, never caused him to lose sight of the common people of Georgia. Their interests came first with him.

Senator **HARRIS** was known in our State as one official that always answered a call from his people. He served them with diligence and devotion and was always active in every matter that concerned the welfare of the State.

His death is a great loss to our people. He is mourned by a host of devoted friends and my sympathy rests with them and with the members of his family. He was a true friend, devoted and loyal to those legions of Georgians by whom he was honored with three elections to the United States Senate.

He was always kind and helpful to me, always ready and glad to assist in any matter concerning my district. His death is a great loss to me personally and to our State.

Mr. LANKFORD of Georgia. Mr. Speaker, the State of Georgia lost a true friend and the Nation suffered an irreparable loss in the death of Senator **WILLIAM J. HARRIS** on April 18 of this year.

He and I came to the Congress at the same time, both taking the oath of office on May 19, 1919, during the last two years of the administration of President Woodrow Wilson. We both had been elected at the November election, the same month in which the World War came to a close. We not only assumed duties new to us, but new to all Members of the House and Senate.

The World War has more than doubled the departmental work of Members of Congress. We all gladly render this labor of love to those who served so nobly and well in the hour of our great peril.

No one was more anxious to serve well the veterans of all wars than Senator **HARRIS**. Especial attention was given by him to the claims of the veterans who suffered service-connected disabilities.

Senator **HARRIS**, because of his previous experience in departmental matters, was well fitted for the splendid and untiring service which he rendered not only to World War veterans but to all who asked him for aid.

Senator **HARRIS** knew to the fullest extent the importance of details and the value of little things. He knew that the least things make the greatest; that invisible atoms make the universe and seconds of time make eternity. He did nobly and well the great acts of human endeavor by performing with painstaking care the minor parts.

His careful attention to detail, his honesty of purpose, and his great loyalty to his people enabled him to become a true and honorable servant of the people he loved so well.

His every act showed that he knew that "duty is the sublimest word in the English language."

With him a promise was most sacred and never to be broken. I have never known a man in public life who could

stand more pressure without shadow of turning from a friend whom he had promised to serve.

Senator **HARRIS** was a valuable public official and his friends everywhere suffered a great loss in his passing. He filled his place in the United States Senate ably, and no one else can render the quiet, unassuming, efficient, all-embracing service so peculiarly his own.

He understood to the fullest extent that the greatest powers in the universe are most silent.

Like the silence of gravitation, the stillness of the sunshine, and the quietness of a mother's love, he did and did well his life's work, and like all of these it will last through all eternity.

Mr. Speaker, during the first 12 years of my service here only two of my colleagues passed into the Great Beyond.

First, I went to Georgia with all that was mortal of the late Senator Thomas E. Watson, of Georgia, and saw him returned to Mother Earth at Thomson, Ga. Several years later I left in Washington in apparently good health my good friend Hon. Leslie J. Steele, of the fifth Georgia district, only a few days later to be notified of his passing and to attend his funeral at Decatur, Ga., where I saw him for the last time until the great awakening.

Now, during the last 12 months, I have been notified of the death and attended the funeral of three of my beloved colleagues:

First, Hon. Charles Gordon Edwards, of the first congressional district, who was buried in Savannah; next, Hon. Samuel Rutherford, who was buried in Forsyth; and last, Senator **WILLIAM J. HARRIS**, who was buried recently in Cedartown.

When sorrows come, they come not single spies, but in battalions.

Three nobler, truer friends of mankind never lived. Their work is imperishable. It will last as long as yonder sun shall shine.

Mr. LARSEN. Mr. Speaker, Senator **WILLIAM J. HARRIS** was one of the most unique characters who ever occupied a seat in the United States Senate. The one dominant, outstanding trait in his sterling character was his uncompromising loyalty to conviction. In truth, this was the very genesis of his political creed. He possessed an agility and vivacity of spirit that seemed to increase rather than diminish as the years passed. Although in ill health for some time before his death, the close of his life was marked by the same interest in and application to his official duties that had characterized the commencement of his public service.

Beginning his public career he was, first, secretary to the late Senator Clay, of Georgia, after whose death he returned to Georgia, engaged in business, and was elected to the State senate, where he served with much credit. He was manager of the 1912 Woodrow Wilson presidential campaign in Georgia. Upon Mr. Wilson's entry into office he first designated Mr. **HARRIS** as Director of the Census and later as a member of the Federal Trade Commission, of which body he became the chairman. His services in these positions were so satisfactory and he was so greatly admired by Mr. Wilson that in 1918 he personally advocated his election to the United States Senate. He was successful in that notable campaign and thereafter served continuously in the Senate until death.

Elbert Hubbard said that after perusing the lives of great men one concluded that it was more difficult to find a gentleman than a genius. I do not agree with Mr. Hubbard. I have met many gentlemen who would be properly classed among the great—I have found them in all walks of life, rich and poor, proud and humble, wise and not so wise—men who consistently displayed all the fine attributes of character and conduct that constitute a gentleman. Senator **HARRIS** is entitled to be classed among the great. He was a gentleman at all times and under all circumstances. He possessed to a marked degree the spirit of forgiveness toward those who he thought had wronged him and was ever ready and willing to adjust differences on equal and honorable grounds. This is characteristic of greatness and goodness. His demise marked a broad, dark somber swath across

the political horizon of Georgia. His death is a loss, both personal and public, to which it is difficult to properly reconcile any thoughts and feelings.

Mr. WRIGHT. Mr. Speaker, it has been said some men are born great and others achieve greatness, but the latter was essentially true of the late Senator WILLIAM J. HARRIS.

By intelligent application and unceasing energy he acquired a broad knowledge of the true principles upon which our great Government was founded, and applied these principles in his private and official conduct.

Born of distinguished parentage, he was reared in a country town, and the foundation for his subsequent active and useful life was based on a practical education secured in the common schools, followed by a course in the University of Georgia.

As a young man he became the private secretary to the late Senator A. S. Clay, and during this service he acquired a liberal knowledge of the workings of the United States Senate and of governmental affairs.

He was later elected to the State Senate of Georgia, where he rendered active and constructive service. Later he was appointed Director of the United States Census Bureau, in which position he made a splendid and notable record. Then he became Acting Secretary of the Department of Commerce, in which position his services were most creditable and efficient. He later served as chairman of the Federal Trade Commission, and administered the affairs of this responsible position with a high order of efficiency and with great value to the people of the United States.

In 1918 he was elected to the United States Senate from Georgia for the term beginning March 4, 1919, and was re-elected in 1925 and again in 1930, in which last election he received the largest majority ever received by any candidate for the United States Senate from Georgia; his opponent carrying only 1 of the 161 counties of the State.

It was during his service in the Senate that he rendered his most constructive and useful service, where he had the confidence, esteem, and respect of his fellow Senators on each side of the aisle. He enjoyed an intimate acquaintance with the late President Wilson, and commanded his confidence and personal friendship.

He at all times championed the cause of the masses, and his great heart literally pulsed in their interest.

He was perhaps the most attentive to the wants of his people and the most indefatigable and untiring worker ever in the Senate from Georgia, and there was nothing either great or small which concerned his great constituency to which he was not always ready to give his personal and intelligent attention.

In his passing, the State and the entire country suffered the loss of a patriotic citizen and an intelligent and loyal public servant.

Mr. MOBLEY. Mr. Speaker, during the Seventy-second Congress the ranks of the Georgia delegation have been thinned by death as have those of no other State in the Union.

The first district of Georgia in July of 1931 lost its popular and useful Representative Hon. Charles G. Edwards.

On February 4, 1932, Hon. Samuel Rutherford, who represented the sixth district, was suddenly snatched away.

Then, on April 18, 1932, the beloved senior Senator from Georgia, Hon. WILLIAM J. HARRIS, was called by death.

While Senator HARRIS was in attendance at the funeral of Mr. Rutherford, I was with him for the last time. He was not feeling well at that time, but friend that he was to all the people of our great State and the pleasure he received from being among them prompted a visit from him to the business people of Forsyth while there on that occasion. In accompanying him on his visit among our people, I was made to realize more than ever before why he was so greatly beloved by the people of Georgia.

He had the wonderful faculty of remembering people and names as probably no man in public life in Georgia has ever had. He had not only remembered the people themselves, but if he had ever had personal or political association with them these facts were not forgotten. He had a

personal interest in every person he represented and there has never been a man in public life in our State who was called upon for service as was Senator HARRIS.

Men in all walks of life alike considered him their friend, and friend he was. The promptness and thoroughness with which he handled matters met with the approval of his constituents and prompted them to make heavy demands upon him, to which he always cheerfully responded.

Senator HARRIS was not considered a great orator. He made no pretense in that direction. However, he was one of the most useful Members of the United States Senate. He was ever alert and awake to the problems of our State and Nation. He sponsored much corrective legislation while in the Senate and was unusually successful in his undertakings.

If he had one worthy and commendable trait that stood out and outshone his many others, it was his courage of conviction and sincerity of purpose.

Our State will probably never be represented by as useful a public servant and as honest and conscientious a man as was Senator HARRIS.

Mr. Speaker, under leave to extend my remarks in the RECORD, I include a memorial address by Hon. WALTER F. GEORGE, as follows:

It was my pleasure and privilege to serve in the United States Senate with the late Senator WILLIAM J. HARRIS from the latter part of 1922 until his untimely death on April 18, a period of nearly 10 years. I feel that I am in a position to judge of his great worth and usefulness to the Nation, the State, and to the individual citizen of Georgia. He was untiring, and his efforts were constructive and fruitful.

It is fitting that the people of Georgia should recall the long public service of Senator HARRIS, which extended over a period of 20 years, practically without interruption. He entered the Georgia State Senate in 1911, completing his term there and accepting the position of secretary to United States Senator A. S. Clay. He served as a member of the State Democratic committee. His next important post was that of Director of the Bureau of the Census from 1913 to 1915. He also served a short time as Acting Secretary of the Department of Commerce. Under President Wilson he was chairman of the Federal Trade Commission, resigning to make the race for United States Senator in 1918, to which office he was elected and which he held until his death.

In the Senate he was keenly alive to the needs of his people and was instrumental in securing the passage of important legislation and the setting aside of many necessary appropriations to carry on worth-while Federal activities in Georgia. Among the many important accomplishments may be enumerated appropriations to determine the cause and cure of cancer, the use of southern pine for the manufacture of paper, and the eradication of fruit and animal diseases. He was also interested in the purchasing of Georgia lands to be used as national parks. At the time his services were terminated he was earnestly attempting to limit the immigration of Mexican labor in an effort to aid our cotton farmers. He was twice successful in securing the passage of a bill for this purpose by the Senate.

Senator HARRIS was a member of the Senate Committee on Appropriations, Commerce, Immigration, Military Affairs, and Territories and Insular Affairs. The first three named received most of his attention. Many monuments will remain in Georgia testifying to his activities and the success of his work in the Committees on Appropriations and Commerce.

As secretary to Senator Clay, Mr. HARRIS became familiar with the needs and desires of fellow Georgians. His experience gained there was invaluable to him in filling the position to which he was subsequently promoted and which he so adequately filled. The characteristic which endeared him to the people of our State, however, was his interest in, his love for, and his desire to assist and serve the individual, whatever his position in life. That he carried this feeling with him to the end is the greatest tribute that can be paid him.

While the loss to the Nation and State is great, it is the man in the street and on the farm who will more keenly feel his loss and regret his passing.

Georgia and Georgians may regard with pride the achievements of Senator HARRIS. On my last visit to his bedside, he spoke of humble Georgia citizens who had called upon the Senators and seemed pleased and happy when I reported the satisfactory service rendered certain of them. He died praying to get back to work.

HENRY ALLEN COOPER

Mr. AMLIE. Mr. Speaker and fellow colleagues, I feel that it is a great honor to be able to pay a word of tribute to my distinguished predecessor from the first district of Wisconsin, the Hon. HENRY ALLEN COOPER, who served with honor and distinction in this body for many years before I was born. His term of service here was continuous except for the two years of 1919-1921, when he was defeated as a result of his courageous stand against the entry of the United States into the World War.

In the lives of many men there is some one incident which brings out in bold relief the character of the man and the things for which he stood. I feel that this was true of HENRY ALLEN COOPER, and that it was my great privilege to have been present when this event occurred. It was at the Republican National Convention at Cleveland in 1924, when on the third day of the convention Mr. COOPER was called upon to present to the convention the minority platform of the Wisconsin Progressive delegation.

The audience was obviously tired and in no receptive mood for a platform of the kind proposed by the Wisconsin delegation. When Mr. COOPER was introduced by the permanent chairman, Mr. Frank W. Mondell, of Wyoming, there was a tremendous hostile uproar throughout the convention hall. There were cries throughout the great audience of "bolshvist," "go to Russia," "throw him out," boos and catcalls, while in the corridors of the building the convention attachés were singing an improvised convention anthem, "To hell with La Follette," sung to the tune of the Old Oaken Bucket.

The newspaper photographers immediately sensed that this was the one dramatic incident in a convention that had been as devoid of excitement as a college commencement. The powerful klieg lights were turned on Mr. COOPER. The hostile demonstrations continued. Mr. COOPER waited in courtly silence. It was a contest in crowd psychology. Somehow the spectacle of the tall, slender, immaculately dressed, white-bearded gentleman on the platform had its effect upon that hostile crowd. Somehow he seemed out of place. He did not look like any of the politicians who had been milling about on that platform for the past three days. His appearance suggested rather that of one of the prophets of old, who, by some strange disarrangement in time and place, had gotten into that political arena. The hostile audience became impressed with this strange spectacle. After 5 or 10 minutes the hostile demonstration began to subside. Mr. COOPER waited till there was complete and expectant silence and began his address.

He told them that as a young man he had read the proceedings of another convention held at Cleveland where a certain distinguished American had defended the right of a minority to be heard. That it had made a lasting impression in his mind and that that afternoon he had gone to the Cleveland Public Library and found the quotation:

The main object of an old party becomes more and more the retention or the regaining of power. The great curse of our present politics is that your heated partisan never knows the other side. It seems to him that it is disloyal to be on the other side. The element now so sadly needed in our politics is consideration of every question on its individual merits and willingness always to hear the other side.

No person can do a higher duty than to resist the majority when he believes it wrong; to assist the right of individual judgment and maintain it; to cherish liberty of thought and action against the tyranny of his own or any other party.

There was a small amount of applause coming from the Wisconsin and North Dakota delegations. Mr. COOPER continued:

The man whose words I quoted was at one time editor of the New York Tribune, and he represented us at the Court of St. James as United States ambassador—Whitelaw Reid. I have noticed a good deal of applause from the Wisconsin delegation, but I do not hear much from New York, although several of Mr. Reid's relatives are in that delegation.

Obviously, this patriarchal figure was more than able to hold his own in any fencing contest of wits. The crowd was definitely beginning to warm up. Mr. COOPER continued:

It is no new thing for the Wisconsin delegation to be charged with bolshevism, and similar charges. In fact we are getting used to it. We have been coming here to these Republican conventions with minority platforms ever since 1908. It devolved upon me then to present that minority platform.

At that time we were met by calls from the audience of "socialism," "take it to Denver," and still every one of these planks which were so booed and hissed in 1908, with the sole exception of one, is now the law of the land.

Mr. COOPER proceeded to enumerate the direct election of United States Senators and other measures that had been booed and hissed in 1908, but had since been enacted into law by one or the other of the two major political parties.

In conclusion he added:

Since that convention in 1908 Wisconsin has presented several minority platforms, and in them were 31 planks, 26 of which are now the law of the land, and one of those planks, as I have stated, is in the Constitution of the United States.

By this time the unfriendly audience listened in silence. There was something prophetic about this tall, white-bearded man, telling them of the progress that had been forced upon a reluctant majority by a small minority possessed of courage, foresight, and determination. Mr. COOPER began to read from the minority platform:

The present condition of American agriculture constitutes an emergency of the gravest character. The Department of Commerce report shows that during 1923 there was a steady and marked increase in dividends paid by the great industrial corporations. . . . On the other hand, the Secretary of Agriculture reports that in the 15 principal wheat-growing States more than 108,000 farmers since 1920 have lost their farms through foreclosure or bankruptcy; that more than 122,000 have surrendered their property without legal proceedings, and that nearly 375,000 have retained possession of their property only through the leniency of their creditors, making a total of more than 600,000, or 26 per cent, of all farmers who have virtually been bankrupted since 1920 in these 15 States alone. . . .

We pledge a complete house cleaning in the Department of Justice, the Department of the Interior, and the other executive departments. . . .

We pledge recovery of the Navy's oil reserves and all other parts of the public domain which have been fraudulently or illegally leased or otherwise wrongfully transferred to the control of private interests. . . .

We favor public ownership of the Nation's water power and the creation and development of a national superwater power system and strict public control and permanent conservation of all the Nation's resources, including coal, iron, and other ores, oil, and timber lands, in the interest of the people. . . .

We denounce the Mellon tax plan as a device to relieve multimillionaires at the expense of other taxpayers. . . .

We favor taxes upon excess profits to penalize profiteering, and complete publicity under proper safeguards of all Federal tax returns. . . .

We favor the election of Federal judges by direct vote of the people. . . .

We favor drastic reduction of the exorbitant duties on manufactures provided in the Fordney-McCumber tariff legislation; the prohibiting of gambling by speculators and profiteers in agricultural products; the reconstruction of the Federal reserve and Federal farm-loan systems so as to eliminate control by usurers, speculators, and international financiers, and to make the credit of the Nation available upon fair terms to all and without discrimination to business men, farmers, and home builders. . . .

We favor abolition of the use of injunctions in labor disputes. . . .

We favor adjusted compensation for the veterans of the late war, not as charity but as a matter of right, and we demand that the money necessary to meet this obligation of the Government be raised by taxes laid upon wealth in proportion to the ability to pay, and declare our opposition to the sales tax or any other device to shift this obligation onto the backs of the poor in higher prices and increased cost of living.

We favor a deep waterway from the Great Lakes to the sea, thus making the primary markets on the Great Lakes equal to those of New York. . . .

We favor such amendments to the Federal Constitution as may be necessary to provide for the direct nomination and election of the President, to extend the initiative and referendum to the Federal Government, and to insure a popular referendum for or against war except in cases of actual invasion.

We denounce the mercenary system of degraded foreign policy under recent administrations in the interests of financial imperialists, oil monopolists, and international bankers, which has at times degraded our State Department from its high service as a strong and kindly intermediary of defenseless governments to a trading outpost for those interests and concession seekers engaged in the exploitation of weaker nations, as contrary to the will of the American people, destructive of domestic development, and provocative of war. . . .

As Mr. COOPER concluded his remarks, the regular routine of the convention went on. The majority platform was overwhelmingly adopted. The President was renominated and the convention adjourned.

But in the memory of every person who attended that convention, a lasting impression was carried away. It was a picture of a finely featured, tall and erect, white-bearded man, 74 years of age, who had dared to stand against the almost unanimous opposition of that convention and had left the individuals within that convention hall with a feeling of "almost thou persuadest me, Paul"; a man who, despite the fact that he had been during most of his public life a voice of protest against the policies of the majority,

had nevertheless been the means of forcing that majority to enact into law many of the measures that he had sponsored. A man who, despite the weight of three quarters of a century, was still looking into the future with prophetic clarity of vision and seeking to force upon a reluctant majority those measures of reform which he believed essential to the preservation and well-being of the Republic.

It was six years later that Mr. COOPER told me that even then he was receiving mail from people in various parts of the United States, whom he had never met, but who desired to recount the incidents of that evening and to again live over with him that brief moment of color and drama at the Republican National Convention of 1924 when he had stood as a prophet of the future espousing the cause of the underprivileged many whom he had loved so well and served so long.

The people who were privileged to hear Mr. COOPER on that occasion carried away with them a picture of him that his constituents in the first district of Wisconsin had formed through half a century of contact with this ideal public servant.

Mr. NELSON of Wisconsin. Mr. Speaker, when death claimed HENRY ALLEN COOPER from our midst his fellow Members of the House of Representatives realized deeply that they had lost a truly conscientious patriot, a scholarly gentleman, a valuable friend, and a good man.

To pay tribute to men who have passed to the great hereafter is easy; but to be the recipient while living of such appreciation and high commendation as was consistently accorded to Congressman COOPER is a rare privilege. Time after time his constituency showed their estimation of his worth by reelecting him as their Representative to Congress—18 terms in all, 36 years. To his colleagues he was one of the most beloved men that ever sat in the House of Representatives.

Mr. COOPER's popularity did not bespeak a passive acquiescence nor an easy docility. On the other hand, his usual rôle was that of active allegiance to a small minority in some cause that he felt to be right. Even before he came to Congress, while serving in the Wisconsin Legislature, he fathered the Australian ballot in that State. He sponsored this system of the secret ballot as a means of doing away with the evil of purchasing and controlling votes.

Soon after his coming to the House of Representatives he was appointed to the Pacific Railways Committee. A bill for the refunding of the debts of the Pacific railroads to the Government was up for consideration. Convinced of the corruption and greed on the part of a certain handful of directors of these western roads, he led an extended fight in the interest of the Government and of the common people. He exposed in speeches before the House thefts of hundreds of millions of dollars by these directors in voting themselves the actual bona fide stock and paying construction companies and those who worked with pick and shovel only watered stocks based on fraudulent and fictitious capitalization. Mr. COOPER, despite his being a young Member, had the courage to say that these directors "acted in flagrant violation of the rights of the Government" and of its laws. He dared to stand by his own measure of what his honor considered right, even to refusing for himself and three colleagues a bribe of \$100,000 if he would withdraw from the battle.

Mr. COOPER was active in the fight in the House to break down the autocratic power known as Cannonism. Into this, as into all other issues, he entered fearlessly, but with such grace and good judgment that, though he differed with the political sentiment of his own district, which was largely conservative, and with the views of many of those with whom he labored in Congress, he convinced all thoroughly as to his sincerity of purpose to follow right as his own conscience revealed it to him. Personal advancement or party loyalty did not loom as large in his view as human rights. Probably the most dramatic episode in his career was when he went before the Republican convention, in 1924, to plead for the adoption of the La Follette platform of progressive prin-

ciples. There were hisses and jeers. But after Mr. COOPER had spoken but a few minutes the hall rang with cheers.

We are all familiar with the gentle dignity, the high ideals, the commanding personality, the delightful good-fellowship of our late dean of the House, Mr. COOPER. He served continuously in Congress from 1893 to 1931, with but one lapse, 1918-1920. The cause for his defeat for this one session was that he fearlessly voted against the war. His political enemies circulated false and misleading statements impugning his loyalty. The Clerk of the House, William Tyler Page, whose length of service in that body, in various capacities, had far outdistanced Mr. COOPER's, presented the splendid record of achievement Mr. COOPER had made, commended his outstanding faithfulness in attendance on the sessions of the House, and completely annihilated this circular of misrepresentation and malice. Of him he said:

Every act and vote since our country went to war has been as patriotic as that of the President himself.

When, in presenting the progressive platform to the 1924 Republican convention, he advocated a referendum in the case of war, that great audience cheered him vigorously. Representative COOPER was a lover of peace. Early in his career he denounced "war's glorious but bloody and cruel triumphs."

He was the first chairman of the Committee on Insular Affairs. President McKinley asked Speaker Henderson to appoint Mr. COOPER to this position, giving as his reason that he wanted "no exploiting of those islands." The Filipino people never had a more loyal defender in America. He was largely responsible for the passage of the first organic act of July 1, 1902. The day before the debate in the House on the bill to permit the people of the Philippines to elect their lower house of the Philippine Legislature he came across the Philippine martyr-statesman Rizal's poem "Farewell." There had been much opposition to the bill and only three of the committee supported Mr. COOPER. When he read the poem to the House in his own masterful way there were a few minutes of silence and then the House broke out in an uproar of applause and rose to honor him. The bill passed. To-day there is a bridge in the Philippines that bears his name, but his memory, says a Resident Commissioner from the Philippines, "will live forever in the hearts and minds of every Filipino of this and future generations." Flags hung at halfstaff in the Philippines when this loyal friend of freedom had fallen asleep, to rise and champion their cause no more.

I was glad to tell my friend HAL COOPER how he elected me to Congress. Comparing Mr. COOPER's record with that of my opponent, I saw where he had voted right and my opponent had not. It was easy to see that Mr. COOPER was a safe guide to follow. This gave me my issues on which I stood in the campaign, and much of my direction since. During our long and delightful service together in the House I often found that his was good and wise counsel. In the pressure of business or on questions difficult to decide I would say, "Hal, how are you voting?" I never found that he gave me wrong advice. He was guided by high moral principles, always to be depended upon. He studied carefully every angle of legislation, and then voted in the interest of the greatest good, irrespective of who or what party supported it.

Mr. COOPER loved the finer things of life. He was a musician, a composer, a classic scholar, and an orator. His memory was unique. Facts stored away in his mind remained there. He could with great ease quote dates, references, long passages of poetry or prose. When Mr. COOPER spoke, people were eager to listen. In the House shortly before his death he sponsored a bill relative to the designation of one of the streets of Washington, D. C., as Constitution Avenue. Following his impressive address in support of this bill the Members rose in enthusiastic tribute to his marked eloquence.

This avenue connecting Arlington with the United States Capitol is itself symbolic of Mr. COOPER's life. His patriotism was ever in closest harmony with his sense of duty. It was an unbroken chain of high ideals and faithful service.

Then "God's finger touched him," and now he, too, sleeps.

Mr. SINCLAIR. Mr. Speaker, the close of the life of HENRY ALLEN COOPER must have been just as he himself would have ordered it. His work for the Seventy-first Congress was finished, and the Seventy-second Congress, to which he had been reelected, was nine months in the future. The honors of his State and district were fresh upon him, and all of his years were a shining record of achievement for the cause of humanity. Surely, there could be no more appropriate time to lay down the burdens of a busy life!

Thirty-four years had he served in the House of Representatives, and was the dean of that body at his passing. No man in recent times had a finer record nor enjoyed the friendship and respect of his fellows to a greater extent than he, and few there were who possessed in so marked a degree all of the physical habiliments of a statesman. Tall and handsome, with leonine expression, he fulfilled every concept of the "noblest Roman of them all."

My associations with Mr. COOPER were during the last 10 years of his life, although I had read a great deal of his activities prior to that. It was inspiring to see the righteous anger flashing in his eyes when he would learn of some new act of oppression by those seeking special-interest legislation. His life was devoted to the relief of the weak and against the encroachments of the strong. He was ever the ready champion of the poor man and the toiler, and never ceased to do battle for the great principles of liberty and equality on which our Government is founded. If there ever was a valiant defender of the Constitution of the United States, based on a sincere love and understanding of its principles, such a defender was HENRY ALLEN COOPER. His every legislative act was in furtherance of the principles of that great governmental document.

Mr. FREAR. Mr. Speaker, HENRY ALLEN COOPER was a distinguished Member of the House of Representatives in the full meaning of that term for more than a third of a century. The span of an average lifetime found him here during every session, as punctual in attendance as the Speaker of the House, as active and useful in his service as any Member of this great parliamentary body.

This was his legislative home. Little escaped him during the long life spent within these walls that saw many Speakers come and go during years that covered the rapid development of a great nation, the history of two American wars, and witnessed every phase of legislative enactments during his long, useful, and highly honored career.

True to himself, faithful to the highest ideals of government, intensely patriotic, scorning deception or its appearance, our loved colleague measured up to the full stature of high statesmanship.

Crisp, Reed, Henderson, Cannon, and Champ Clark were among the eminent men who occupied the Speaker's chair during that period, and the last Speaker who followed him closely to his eternal rest, Longworth, with the others, was among COOPER's loved friends and associates.

Cleveland, McKinley, Roosevelt, Taft, all came on the scene as national leaders during COOPER's earlier legislative service, and it is disclosing no confidence when saying that these Presidents, and others in later years, consulted with him on matters of national importance. Able men in their high offices, so, too, was COOPER in the legislative arena.

From his successful law practice this well-equipped, highly cultured, gifted statesman stepped to the senate of his native State, where he had placed the Australian ballot and other notable legislative acts to his credit, and then came to this House of Representatives, which he deemed the greatest parliamentary body in the world.

Here he was long to remain the center of the arena, surrounded by a coterie of friends, friends who knew him and loved him for his strong character, splendid personality, and rare quality of humor for which he was justly famous. Others may speak of his well-known legal and legislative abilities, of his high ideals, integrity, and strength of purpose that marked a long and useful public career, but he possessed also a marvelous sense of humor and quick grasp of proportions that often brought order out of bitter disagreements by a sudden quip or clever illustration which rarely

failed to relieve the tension. That phase of his mental equipment disarmed opponents and helped arrive at mutual settlements of personal and legislative controversies.

His was a charming personality; a musician and modest composer, a student of history, of men, and above all of nature, who loved the trees, flowers, and living things; a delightful companion, sought by all who were benefited by his friendship.

Whether the center of a small circle of colleagues or in the heat of legislative debate or speaking to thousands of critical auditors at national political conventions, COOPER was ever master of the situation. This was equally true when leading hosts to victory or championing the cause of a small group, like himself sincere advocates of a cause. Numbers or surroundings were equally unimportant to the man who had a message and never failed to voice it effectively and convincingly.

Powerful in advocacy of any cause he espoused, he scorned hypocrisy and cant, striking squarely; but by respecting his opponents' rights he was equally admired in debate by friend or foe. These outstanding qualities, so desired by the average legislator, were possessed by COOPER to a marked degree.

His field of work and wealth of human sympathy led him frequently to speak for the rights of the oppressed, irrespective of creed, condition, or color. The struggling Filipino, who had been wrested from Spanish control by the guns of Dewey's fleet, was always near his heart. President McKinley's high estimate of our colleague was evidenced by his selection of Representative COOPER as chairman of the first Philippine Committee, of which Henderson, Joe Cannon, and other able chairmen of committees, then in the House, were members. That committee made a survey of the Filipino people and their needs, and after a study of conditions in the Philippines laid down a legislative program which gave these people a large part in their own government, fitting them for the independence so dearly coveted by the people of every land.

Others may recount the many struggles and victories won in debate and legislative accomplishments of our colleague, but I seek only to give a brief pen picture of a personal friend, of a truly lovable man, great in political prosperity or adversity, or indomitable courage and fine personal character. For nearly a score of years I was associated with his work and remained near him during the closing of an eventful life, even to the day when, as the highly honored dean of the House, he passed away, in legislative harness to the last, as he would have had it.

His loved wife and helpmate was his constant companion, always at his side, giving advice and encouragement to her brilliant, distinguished husband.

On the day of his death, apparently in good health, with a well-rounded fourscore of years to his credit, I sat with him during a session of the House and again congratulated him on the successful effort to make Constitution Avenue a lasting and beautiful monument to his memory. That and many other acts in the beautification of Washington came from his understanding of its needs, due in part to membership on a congressional committee appointed in 1920 by Speaker Clark. A lover of fine arts, of Washington's rapidly developing power and beauty among the great capitals of the world, appreciating its possibilities of attractiveness through nature's gifts and the Government's pride of ownership, COOPER was always at his best when picturing the limitless possibilities of the Nation's Capital, of which he seemed a part.

That same evening I was called to his deathbed. Eulogies have been and will be pronounced that stir the hearts of men, and many were uttered here and at the service held in his Wisconsin home, but the highest honor accorded our distinguished colleague was when his little home city was crowded with friends, who stood for miles with uncovered heads, testifying by their mute presence that they, like ourselves, had lost a trusted adviser and loved friend.

Mr. PEAVEY. Mr. Speaker, more than 50 years ago there appeared on the scenes of Wisconsin politics a new figure—HENRY ALLEN COOPER—a young lawyer then a candidate for district attorney of Racine County. His successful cam-

paign and election marked the beginning of a career dedicated to public service which stands out in the history of American public life. Possessed of a keen intellect, a rugged honesty, and a passionate sympathy for the oppressed and downtrodden, this young lawyer soon developed a reputation that six years later won for him the nomination and election to the State senate.

There he framed and secured the enactment of the secret ballot law of Wisconsin. For 40 years it has remained the keystone of the election machinery in the State, and the fact that many other Commonwealths have copied it constitutes the highest compliment to the statesmanship of its author and sponsor. Mr. COOPER served through the administration of Cleveland, McKinley, Roosevelt, Taft, Wilson, Harding, Coolidge, and for two years in the Hoover administration; always representing the liberal view and devoting his untiring energies and great abilities to carry on the struggle for those less fortunate.

Mr. COOPER was made chairman of the new Committee on Insular Affairs after the United States had acquired the Hawaiian and Philippine Islands, at the direct request of President Roosevelt. He selected Mr. COOPER in preference to Members who had seen many more years of service and who had greater claims to this high honor, because he knew HENRY ALLEN COOPER would devote all his energies to safeguard and promote the welfare of the peoples of these islands. From that time forward he never ceased his efforts to break down the chains of oppression binding these people.

During the era of the Great War, when hysteria and intolerance swept the land, searing the love man bore for his neighbor, threatening to engulf all those who had the temerity to oppose the awful carnage then sweeping Europe, HENRY ALLEN COOPER braved the storms and stood on the floor of the House, raising his voice in opposition and warning:

I am not an anarchist and I do not believe in the abolition of organized government, but if there ever was a time in the history of the human race when men ought to possess common sense and the power to discriminate and reason, it is now in the Republic of the United States.

On the eve of the declaration of war he rose on the floor of the House, and, in a voice shaking with emotion, he uttered these prophetic words:

Gentlemen, if we pretend to statesmanship we must try to see all sides of great questions. The destruction of England would be a great calamity, and the world ought never to permit it. So, too, the dismemberment of Germany would be a world calamity, and the world ought never to permit that. I pray that the neutral nations may in combination find some way speedily to bring this horror to an end.

Possessing deep convictions that the highest statesmanship required the exercise of the right to express his views, and to vote his deliberate judgment on economic issues before Congress, he bitterly assailed the boss-ridden and caucus-ruled party régime exemplified by Speaker Cannon. He said:

I was bred in a school of politics which taught that any man anywhere in this Republic had a right to his honest opinion and a right to be heard when he wished to express it.

And again:

I deny here and now that any number of men, say 51 out of 100 at a caucus, two more than a majority or any other caucus majority, have the authority under any circumstances to control my vote against my well-considered honest judgment.

Because he helped break the rules under which the membership of the House was denied the right to exercise its free will, he was removed as chairman of the Insular Affairs Committee, a position which he held at the instance of the titular head of his party, the President of the United States.

With Mr. COOPER it was never a question of, "Is this approved by the leaders? Is it in the party platform? What has the caucus done about it?" but rather, "Is this measure in the interests of the people of my country?"

The death of Mr. COOPER ended a career worthy of emulation. His life and work run like a golden thread through the history of his country. I commend it to the Nation.

Mr. SCHNEIDER. Mr. Speaker, the Grim Reaper has visited these halls again, this time to carry away with him the life of one who was loved by all of us, and one who was particularly dear to his colleagues from Wisconsin.

HENRY ALLEN COOPER served his district for 36 years. We have all bowed to him as the dean of this assemblage. I am sure his memory will live with us forever as that of an honest, upright, and strong character.

Mr. COOPER had been in public life since a very early age and had won the increasing admiration of all who were associated with him over the years. Nothing we can say here will add to the greatness of his life. We can but acknowledge it and determine to fit some of the traits of this shining character into our own.

He regarded his fight against the railroads early in his congressional experience as the outstanding event of his career in the House of Representatives. In the face of bribes, threats, and trickery, he stood immovable in defense of the public interest, and it is generally accepted that but for the position he took on the floor of the House at that time another great public-land steal would have been accomplished.

Another high light of his career was the appointment given him by President McKinley to study conditions in the Philippines shortly after they came into our possession. Mr. COOPER was largely instrumental in establishing the system of self-government which was worked out for the Philippines and which has met the needs of those islands admirably since adoption. The gratitude of the Filipinos for this service and his interest in their problems was expressed by the delegate from the Philippines on the day of his death.

Politically Mr. COOPER was a sound progressive. He was never afraid to oppose the interests who sought to perpetuate the established order to their own advantage and the disadvantage of the public. It may be said of him that he was never to be enticed from the path of service and strictest honesty in the performance of that service.

Mr. COOPER was a man of strong sympathy, brilliant intellect, and possessed of an astounding memory. His ability to absorb details and retain them was truly nothing short of amazing, and this characteristic was present even to the end. It is indeed seldom that we find a man of Mr. COOPER's age who can picture the events of his childhood and early manhood with the vividness with which he recalled them. He committed literature to memory with the greatest ease. An enthusiast for Shakespeare, he was able to recite extensively from those plays. This served to embellish his writings and his speeches, and many of them are literary masterpieces. The last speech he made in this Chamber sent the thrill of patriotism surging through the veins of everyone who heard it. It was a simple appeal to change the name of B Street in Washington to Constitution Avenue, but he used the occasion as a vehicle for an address as stirring as any I have heard on this floor.

Mr. COOPER was an intense lover of the beautiful. In fact, it may be said his was a tremendous affection for everything fine and beautiful. This expressed itself in an appreciation of all the fine arts. He was a great lover of nature and a composer of music.

One of Mr. COOPER's great interests was the development of the National Capital. But for his interest in this city we might not have the Lincoln Memorial. His insistence upon the erection of an appropriate monument instead of the construction of a highway from Washington to Gettysburg resulted in the erection of the impressive memorial we are all so very proud of to-day.

For intellectual ability few were his peers, and as to integrity none were. With his great appreciation for the fine things in life went a large understanding of and sympathy for the masses of the people. Truly, HENRY ALLEN COOPER has built a place for himself among the great.

Mr. HAUGEN. Mr. Speaker, I rise at this time deeply impressed with a sense of recollection of my long association here in the House of Representatives with the late HENRY ALLEN COOPER, of the first district of Wisconsin, and it is with pride and pleasure that I pay my tribute on this occasion to his memory.

Mr. COOPER represented the first congressional district of Wisconsin, which includes Rock County, where I spent some of the happy days of my early life, and his being elected to the Fifty-third and each succeeding Congress up to the Sev-

enty-first, with exception of the Sixty-sixth, is evidence of a convincing nature of the remarkable regard in which he was held. During his long service in the House it was my pleasure and honor to come in close and frequent friendly contact with him, and, as the years rolled on, I came to realize why his constituents honored him by repeatedly electing him to office, and why he was held in such high esteem by his many friends, and why it may be truly said that his public service was a notable contribution to the welfare of his State and country.

Mr. COOPER had and displayed those sterling qualities which we love to see, his genial disposition, keen intellect, noble character, and experience in legislative work, coupled with his patriotic, active, and effective public service, his unswerving and unusual devotion to truth, to the best interest of his State and Nation, always evident in his performance of public duty, naturally won him distinction and many friends.

In closing, may I say, "Truly the world was better for his having been in it."

Mr. FRENCH. Mr. Speaker, I believe it was the great bard who said, "When sorrows come, they come not single spies, but in battalions."

The last year has witnessed the passing of an unusually large number of able, distinguished Members of the House of Representatives. Among those who passed on was the late HENRY ALLEN COOPER, who for many years represented, with a high order of ability and distinction, the first congressional district of Wisconsin.

HENRY ALLEN COOPER was a Member of the House of Representatives when I came to this Chamber. Gracious, friendly, interested particularly in those who were entering upon a life of public service, Mr. COOPER soon became my personal friend and one upon whom I could rely and with whom I could exchange thoughts touching the multitude of heavy problems that have confronted our country and the Members of the Congress during the last quarter of a century.

The House of Representatives is a body that with fair accuracy appraises the worth of its Members. For one to attain highest success in this Chamber he must have unusual industry, he must be well informed, he must be accurate in his observations, he must be definite in his conclusions, he must be kindly toward his associates, and probably more than anything else, he must be possessed of mental and soul integrity.

Our late colleague possessed these qualities in most unusual degree. His personal habits were simple; his instincts and interests had to do with the masses of people of our country who are not in position to help themselves. It seemed to be his conception of the state that it exists for the purpose of carrying into actuality the high purposes that surrounded the establishment of our country, namely, its creation to promote equality and justice toward all, and with an apparent consciousness that there are millions of our countrymen at all times who are dependent upon the state itself for the translation of these purposes into vital factors.

During my membership in the House of Representatives there have been few Members who have been so widely read, so well informed upon so great a variety of subjects, so capable at all times of marshaling data and logic in support of conclusions, and of giving to their hearers in forceful, pleasing, and convincing style the results of their experience and their analysis of problems that they chose to present as HENRY ALLEN COOPER.

Probably the most outstanding characteristic of our late colleague was his frankness and his demand for frankness and candor upon the part of those who are entrusted with responsibility. Earnest and fearless himself, he seemed to be controlled in his demand for highest probity upon the part of others by the thought that in the language of another has taken this form: "Hateful to me as are the gates of hell is he who hiding one thing in his heart utters another."

In conclusion, the life of HENRY ALLEN COOPER briefly outlined in the words that I have used must continue to be an inspiration not only to the people of his district but to the membership of this body and to students everywhere who

love honor, who love integrity, who love sincerity, and who are inspired by unselfish devotion on the part of a citizen as he seeks to serve the people as they constitute the state.

JAMES BENJAMIN ASWELL

Mr. OVERTON. Mr. Speaker, on March 16, 1931, in the tenth term of his service as Congressman from the eighth congressional district of Louisiana, at the very height and zenith of his wonderful public career, Dr. JAMES BENJAMIN ASWELL, educator, statesman, orator, passed from mortal into immortal life.

For over 18 years he had constantly and actively served his district, his State, and our Nation in these Congressional Halls. Now that he has passed into the silence and inaction of the grave, it is proper that we, the living, should assemble in this supreme shrine of his public devotion to pay to him and his memory the tribute of our memorials.

Doctor ASWELL was born December 23, 1869, on a farm in Jackson Parish, La., issue of the marriage of Benjamin Aswell and Elizabeth A. Lyles. He was married March 3, 1901, to Miss Ella Foster, of Shreveport, who survives him, together with two children, Mrs. James Edward Cantrill, of Lexington, Ky., and James B. Aswell, jr., writer and journalist, a resident of New York.

Doctor ASWELL showed in his early youth that resolute courage and indefatigable energy which enabled him to cope with and overcome the difficulties of life and which later made him one of the most outstanding men in the history of Louisiana.

Notwithstanding the poor opportunities afforded him for elementary education, he worked his way through school and equipped himself to enter the George Peabody College for Teachers, from which he graduated in 1892. He later received the degrees of A. B. and A. M. from the University of Nashville and the degree of LL. D. from the University of Arkansas.

Doctor ASWELL determined at the threshold of his young manhood to devote his life to the service of humanity. This high resolve was his constant incentive and ambition in his long career of public usefulness. There does not appear in the pages of Louisiana's history one who has served his State and its people with greater zeal and in more varied capacities than Dr. JAMES B. ASWELL.

Beginning his career as a teacher of youth, his ability as a public educator was speedily recognized, and his thirtieth year found him presiding over the Ruston Industrial Institute, now the Louisiana Polytechnic Institute. After devoting four years to that institution, he was by public acclaim drafted to serve as superintendent of education in Louisiana. So brilliant and successful was his work in that office that he has been frequently referred to as the father of the modern public-school system of Louisiana.

Having built up the Ruston Institute and the public-school system of his State, he next directed his remarkable faculties and tireless energy to the training of teachers, becoming in 1908 president of the State Normal College, located at Natchitoches, La.

During these years of service in various capacities in the cause of education his interest in public affairs generally had so broadened and his ability as a public speaker had become so recognized that again popular demand drafted him to another and larger field of service, and he was elected in 1912 to serve in the Halls of our National Congress. The most conclusive evidence, perhaps, of his ability as a statesman and the popular esteem in which he was held lies in the fact that from 1913 to the time of his death he remained constantly in Congress as the idolized Representative of the people of his district.

Time will not permit me, Mr. Speaker, to even chronicle the items of his varied and multitudinous activities in the legislative councils of our Nation. Every CONGRESSIONAL RECORD from the Sixty-third Congress in 1913 to the Seventy-second Congress in 1931 is replete with the evidences of the broad statesmanship, the brilliant oratory, and the convincing logic of the Representative from Louisiana's

eighth district. The United States veterans' hospital at Alexandria, La.; Federal buildings, national forest reserves, fish hatcheries, Federal flood control stand as monuments of his service to the people of his district; and his strenuous battles upon the floor of the House of Representatives for farm relief and national drought relief attest his vigorous and successful efforts in matters of national import.

Doctor ASWELL died, as he had lived, in the enjoyment of the unstinted admiration, confidence, and affection of the people of his district and State, and of his colleagues and co-workers in our National Capital, from the President of our Nation to the humblest clerk in its executive departments.

His high and useful service to his country will long endear him in the public memory.

This is the spontaneous and deserved tribute that fell from the lips of the present occupant of the White House upon the announcement of Doctor ASWELL's death.

In this commemoration of the life and service of our departed colleague we should be lacking in proper sentiment if our thoughts did not revert to those bound to him by the ties of nature and the fond associations of home and family, to the loving wife and devoted son and daughter, who "yearn for the touch of a vanished hand and sound of a voice that is still." We can not at this hour offer them a sweeter, dearer consolation than that which springs from a firm faith in the immortality of the soul and the divine assurance of an eternal union beyond the grave. And, apart from the assurance vouchsafed to humanity from on high, it may be truly said that, when death comes, the most consoling and the strongest conviction of the immortality of the soul and an eternal reunion is the immortality of love, which embraces faith and hope alike, which stands for the brotherhood of man and the fatherhood of God, and binds all humanity to the throne of the eternal loving Father.

Mr. MALONEY. Mr. Speaker, regardless of the paths along which we are destined to make life's journey, we are certain to experience moments of joy and sorrow. Joys that inspire us to carry on with renewed effort in our undertakings and sorrows that cause us to reflect and to become disheartened.

Mr. Speaker, this day has been set aside and dedicated as memorial day, in order that we may pay tribute to the memory of those colleagues who departed this life during the past year. I bowed my head in sorrow and reflection as I listened to the names of those men whose presence so short a while ago graced this Chamber in the discharge of their public duties and whom the Father of all time has removed from our midst. Although their voices are silenced and they mingle no more with us in the body, the inspiration of their life's work still carries on.

Mr. Speaker, in this list of the illustrious departed is the name of one of Louisiana's distinguished sons, JAMES B. ASWELL, a man who devoted his entire life to the uplift of his fellow men; a man who was repeatedly honored by the citizens of his State and whom Louisiana in 1913 sent to this august body, where he served continuously until the time of his death. He was the dean of our delegation, by which he was held in high regard. He served fearlessly, faithfully, and capably not only the people of his State but of the entire Nation. His energy and ability were of great assistance to this country in solving many of the problems that arose during the period of the last war. After the war he continued as an indefatigable worker for the restoration of normalcy in the Nation. He was the farmers' friend and gave much of his time to the solution of agricultural problems. He was engaged in the last-named work, which was nearest his heart, when he was taken from us. His public service was an honor to his State and a credit to himself. He was a devoted son, a loving husband, and an affectionate father. He was a tried and true friend. To know him was to love him.

Whatever vales we yet may wander,
What sorrow come, what tempest blow,
We have a friend, a friend out yonder,
To greet us when we have to go—
Out yonder some one that we know.

Mr. MONTET. Mr. Speaker, it is with a deep feeling of sorrow and a keen sense of regret that I endeavor to pay a tribute of admiration and respect to the memory of my colleague and friend the Hon. JAMES B. ASWELL. I am overwhelmed with sorrow because I have lost a warm personal friend, and I regret that Louisiana is deprived of one who was always devoted to the interests of his State and his people. His record in the House of Representatives shall always live as an eternal monument to his memory. He possessed a brilliant intellect, a magnetic personality; handsome and of striking personal appearance, fluent and forceful in speech, invincible in debate, and courageous in his convictions, he combined all of the elements of a legislator capable of leaving his imprint upon this historic body.

He had the broad culture necessary for the comprehensive grasp of high principles, a keenness of intellect that enabled him to reach proper conclusions, and the conscience to demand that the principles in which he believed be applied to administration. He fought for the public weal, even though his actions were in conflict with his personal welfare. He was a strong, patriotic citizen. His actions were guided and directed by his loyalty and his earnest desire to serve well his country and State. One of his outstanding characteristics was his devotion to duty. I know of no public man of our day who served so zealously and more willingly for his constituents. He sacrificed his very life to carry out their expressed wish.

In the passing of my friend Louisiana has lost a great citizen and our Nation has lost a patriotic statesman. He was elected to serve his people; he performed his duties admirably; he did his work nobly; and it is with profound sorrow that we of the Louisiana delegation mourn his untimely death.

Mr. WILSON. Mr. Speaker, our deceased colleague JAMES B. ASWELL, whose memory we honor to-day, was born in Jackson Parish, La., December 23, 1869. He was the son of Benjamin W. and Elizabeth Lyles Aswell.

The father, an honorable and patriotic citizen, was a soldier in the Confederate States Army. His mother, the charming director of a simple home, still the foundation and hope of genuine progress and advancement of the human race.

His first educational training was in the country public schools of his home community and State. After a college course at Arcadia, La., he was awarded a scholarship to the George Peabody College for Teachers at Nashville, Tenn., from which institution he graduated with honor and distinction. He also received degrees from the University of Nashville, the University of Arkansas, and recognition from other noted educational institutions. On account of such merited and deserved honors, he was properly termed Doctor ASWELL.

While his life presents an unusual record in lines of usefulness, the outstanding accomplishments of Doctor ASWELL were as an educator and a statesman. To become noted as either is an honor; to advance to leadership in both is a distinction coming only to a few.

Whether it be in the 1-room country school or the college, his record as a student is remembered by his associates. As an instructor or executive in such institutions, his leadership was gladly followed by his coworkers.

As president of Louisiana Industrial Institute, now Louisiana Polytechnic Institute, at Ruston, La., and president of the Louisiana State Normal College, at Natchitoches, La., and as superintendent of public education in his native State, he planned and formulated the basis of the system of public education by which Louisiana ranks among the first States of the Union in this important field.

From close and cherished relations with our departed friend, I would say that if he should be listening in to-day on this memorial service, he would prefer that his work and career as an educator be given first rank in the records of his public service. And why not? The safety and security of a democracy rest upon the training and equipment of the youth who must constitute its mature citizenship and assume all responsibility for its religious, social, private, and official life.

During his 18 years in Congress as Representative from the eighth congressional district of Louisiana, Doctor ASWELL established a record of public service comprising in all respects the highest qualities of statesmanship.

Complete devotion to and aggressive action for the promotion and advancement of every problem and interest affecting his own congressional district, his native State, and the Nation at large established for him recognized leadership in the Congress in respect to some of the most important problems demanding solution by national legislative action. Due to the length of his previous service, in the Seventy-first Congress he was advanced to the position of ranking minority member of the powerful Committee on Agriculture.

For the emergency farm-relief legislation made necessary by the unprecedented drought disaster of 1930, Congressman ASWELL became the leader, the sponsor, and the author. In September, 1930, I came to Washington at his request to assist and cooperate with him. I therefore know personally of his plans and work, the foundation for the results obtained.

The fact that the world-wide depression, affecting every phase of industry and agriculture, then unforeseen, has made it necessary to continue financial assistance to farmers by the Federal Government, again emphasizes the outstanding service rendered by JAMES B. ASWELL.

Other instances of leadership could be given. The people of Louisiana know his record, realize the immeasurable loss sustained, and join us to-day in the tributes of honor to his memory.

The untimely passing of our beloved and honored colleague was due to burdens of overwork. He had been advised and cautioned of this. But with determination for service to his people, unfaltering Christian faith and devotion to his loved ones, he continued forward and passed quietly on, still in the battle and on the front line. What a privilege!

NICHOLAS LONGWORTH

Mr. HOLLISTER. Mr. Speaker, I well know that there will be offered by various of my colleagues many eulogies of the late Speaker. All of them will be by Members of the House of Representatives who served with and under him. I shall add my tribute from the point of view of one who knew him only outside of his official life.

Though NICHOLAS LONGWORTH was some years my senior, I can not remember when I did not know him. His home was near to mine in Cincinnati, and I well recall the admiration that I had, as a boy, for the attractive, debonaire young man who had just been elected to Congress. As I grew older and came to know him better, I always looked forward to those times when he would come back to his home for extended stays between sessions of Congress, with intimate and interesting stories of the kaleidoscope of national figures and events.

When the late Speaker's sudden death came last spring, the whole community which had honored him for so many years by sending him to Washington, and which he had in turn honored by his career of ever-increasing service and prestige, joined with the Nation in its sorrow and in its desire to do honor to his memory. I myself mourned the passing of a real friend.

When I was selected by my party to stand for the vacant seat of NICHOLAS LONGWORTH I felt the honor keenly. It was more than being selected to run for Congress; it was being asked to succeed one of the great men of the Nation, and in this spirit, and with full knowledge of my own inadequacy, I entered the race. When my constituents saw fit to elect me, and I came, an ignorant neophyte, to Washington, it was the prestige and position which had been held by my distinguished predecessor which provided an open sesame to the friendship of my colleagues. I know well that it was because of their love for him that I was made particularly welcome in the Halls of Congress, and I am deeply appreciative.

NICHOLAS LONGWORTH was one man in a thousand. He possessed in a higher degree than I have ever seen in any-

one an ability to understand and appreciate his fellow man. Everyone who knew him, no matter how slightly, felt him a friend. His tact, his good fellowship, his humor were proverbial. He knew when to laugh and when to be solemn. He knew that while at times the importance of national and international affairs must naturally cause them to be treated with the utmost seriousness, he also knew that the great saving grace of this life is an ability to laugh with and at the fates; and he realized keenly that no man, be he ever so great, should take himself too seriously. In this he typified an attitude which we should all cultivate, and when the call came was able "to greet the unseen with a cheer."

He was well educated, well read, quick and versatile in thought; and in addition he had a side to him which was not given to all to know. He had an unusual knowledge of and love for fine music, and many who knew him as a statesman or as a gay companion would have been surprised to see him staying up for hours late at night playing the violin with a group of musicians of the first rank and holding his own.

A fascinating figure has left his accustomed haunts, but the world is a more human and livable place because he lived in it.

Mr. HESS. Mr. Speaker, the passing of NICHOLAS LONGWORTH was for me a heartfelt personal loss. I esteemed him as an elder brother, a preceptor, and friend. I have heard that he was always willing to oblige the fledglings—the first-termers of Congress. Possibly, as a fellow townsman, he did more for me, and I am under many obligations to him for making smoother the rough spots. His advice was always unselfish.

It is a consolation that I showed my feeling for him during his lifetime. On one occasion, at a dinner given in his honor, I was invited also, and will read from my notes, luckily preserved, what I then said:

I am especially pleased to be here to join you in doing honor to my chief, Speaker NICHOLAS LONGWORTH. He worthily fills the second highest position in the National Government. He has the respect of partisan foes as well as the affection of partisan friends. It is no small thing to guide the destiny of a House composed of 435 Representatives eminent in their respective localities, men of decided individualities, and yet NICHOLAS LONGWORTH does this and holds their general good will, because in all situations he is and remains the gentleman.

I rejoice that the custom is growing to give to the living, flowers of speech and acclaim when they deserve them, and know of no one who better deserves such recognition than our fellow townsman, NICHOLAS LONGWORTH. For he's a jolly good fellow.

Those last words, "For he's a jolly, good fellow" may require some explanation, except to those who have experienced the charm of an evening with LONGWORTH as host. Mr. LONGWORTH was a lover of music—he rarely missed a good concert. He was a musician of great proficiency on the piano, violin, and organ. When at his ease among his intimates, he regaled his guests with song, story, and music, and there would ensue a "feast of reason and flow of soul," long to be remembered and cherished. He made friends easily and kept them.

He was a Member of the House of Representatives for 13 terms and elected for a fourteenth term. Those who served during the last three terms of Congress know he was the ideal Speaker. He had a thorough knowledge of parliamentary law and the rules of the House. On one occasion only was an appeal from his decision sustained on the floor, and later he had the satisfaction of having his original ruling become the action of the House on another measure. Rigidly impartial, his fair dealing was recognized by all, and at the close of each of his three terms as Speaker there was demonstration of good feeling in honor of Mr. LONGWORTH.

Who of us will ever forget the 4th of March last? Then Mr. LONGWORTH said, in part:

I need not say that I am profoundly grateful for this demonstration of your affection. Perhaps this is the last time I will address you from this rostrum. [The CONGRESSIONAL RECORD interjects here "laughter and applause."]

Mr. LONGWORTH jocularly continued:

I do not mean to insinuate that I regard it as a probability, but I must admit it as a possibility.

In serious vein he proceeded:

The decision lies with none of us here. It is a decision that lies with an all-wise Providence.

Slightly more than a month later he died.

I am not one of those who believe he anticipated his own death. Having received a unanimous party-caucus nomination for reelection as Speaker shortly before, he was directly referring prophetically to the deaths which might and have changed the political complexion of the House. He knew that such deaths occur between terms of Congress, and therefore his nomination did not mean his certain election to the Speakership.

True, his next sentence was:

With whatever Providence may decree I am abundantly satisfied.

This is a personal reference, but I take it as a confession of faith on the part of this Christian gentleman, and not as premonitory of his death. We can not forget his genial spirits when he delivered this farewell speech. Shortly thereafter he yielded to a draft and played for us the piano accompaniment to "Carry Me Back to Old Virginny." He was noticeably tired, but apparently in health.

The shock of his death was felt throughout the Nation. I learned of it by wireless at Cristobal, Panama, and it was my sad duty to transmit this first information to the officers aboard ship and at the garrison. Soon our flag was at half-mast and genuine sorrow was shown there and everywhere on my trip to the Pacific coast, reluctantly resumed after it proved impossible to journey to Cincinnati, even by airplane, in time for the funeral services.

Cincinnati has long cherished the name of LONGWORTH as one intertwined with its growth and progress from its early history to the present time. Cincinnati mourns the death of Speaker LONGWORTH as the loss of its most distinguished citizen.

Mr. DARROW. Mr. Speaker, announcement of the death of our beloved Speaker, Hon. NICHOLAS LONGWORTH, so shortly following the adjournment of the Seventy-first Congress, smote heavily with sorrow the hearts of his colleagues and legion of friends, and brought to me the shock of personal bereavement.

I desire to voice brief and humble tribute to this great public official and statesman, whose name will be prominently engraved in our Nation's history.

I had a deep affection for our late colleague, which only increased with the length of our association. I admired him for his kindly personal qualities and his high attainments, respected his sound judgment and decisions, and was happy to follow his leadership of Republican forces in the House.

The whole public career of NICK LONGWORTH was a splendid exemplification of the highest conception of service. He was the highest type of public servant it has been my privilege to know.

Especially did I admire his loyalty to the Republican Party and its principles, as well as his advocacy of sound party government. In this connection I often recall a speech he delivered before the Union League of Philadelphia on May 27, 1926, when as an introduction to a scholarly address on the virtues of party government, he said:

I hear you had an election here recently. Well, I am not here to comment on the result. I know the primaries sometimes leave heart burnings. I am not here to offer advice. I would not presume to do so. But I know what I would do in the circumstances. I would vote for every man nominated on the Republican ticket.

Dwelling further on the subject of party loyalty, he appropriately illustrated his point as follows:

The first thing I did when I left college was to join a political club. As a member of that club, I gained my first lesson in what a Republican organization ought to have: First, real cooperation, whether the individual attains high estate or not, and then firm loyalty.

I remember that as a member of the Ohio Legislature I went home to join my club in a parade. My train was late. I joined in the rear of the column and walked with three aged, diminutive men. We had the dust in our faces and the band was around the corner. I said to one of my companions, "Well, I don't like this." "Young man," he said, "I don't know who you are, but let me say this: I have been a member of this club for 25 years, and I

have never missed a parade, and I have never heard the band play yet."

That—

Asserted Speaker LONGWORTH—

is the spirit that wins our victories.

Mr. LONGWORTH spoke highly in praise of service in the House of Representatives, and considered his position as Speaker as one of the highest honors to which a man could aspire.

There is no greater leveler in the world than the House.

He said.

It makes no difference what a man was, men are judged in the House by what they are and what they do.

The House is daily in contact with the people of the country, and so long as it may merit the confidence of the people, no real danger can come to the Republic we all love.

My closest contact with Mr. LONGWORTH was during the period of our service together on the Republican steering committee, of which he was chairman when majority leader and an ex officio member when Speaker. I always found him to be most genial and affable and possessed of a personality which made and kept friends. He was thoroughly versed in every aspect of government; and while not one of the country's outstanding orators, he possessed the fine art of convincing firmness and expounded his arguments in a manner that they could be readily understood and leave a lasting impression.

Mr. Speaker, the Nation mourns the loss of its outstanding public servant and statesman, and we who served with him here suffer from the lost opportunity of personal association with him and the benefit of his wise counsel and leadership.

Mr. NELSON of Wisconsin. Mr. Speaker, when NICHOLAS LONGWORTH laid down the Speaker's gavel for the last time, the country lost a great leader. Some men are astute politicians, some are scholars, some revel in the aesthetic, art, literature, music. Fortunate, but rare, it is that men are the happy composite of all of these. Such a man was NICHOLAS LONGWORTH.

His rise to the position of power, second only to that of the President of the United States, was conscientiously and meritoriously earned. Membership for four years in the assembly and senate of his State was the first step that enabled the 33-year-old "boy Representative from Ohio" to find a seat in the House of Representatives. Thirty-two years of public service in State and National office prepared him for the success that was his in the high office of Speaker of the House.

That his influence would be far-reaching was early demonstrated when he was a member of the Committee on Foreign Affairs. Intensive self-training and invaluable public good came out of his years of service on the Ways and Means Committee. He became an authority on matters requiring economic judgment—revenues, tariffs, and taxes.

In the rôle of floor leader, when for two years, 1923–1925, he steered the Republican Party through difficult times which threatened a serious split between progressives and conservatives, he exercised amazingly balanced political judgment, and achieved for that Congress an almost unprecedented legislative record.

My own relations with NICK LONGWORTH were always most delightful. We served in the House together more than 20 years. He came to the House one Congress before I did. In all my experience with him I found him always a man true to his word. He was frank and honest; and when he made a promise, he kept it.

Well do I remember when, at the beginning of the Sixty-sixth Congress, the progressive group held the balance of power. With Democratic coalition this group could overrule the Republican majority at any time. Mr. LONGWORTH had assumed leadership, but he was attempting an impossible task. Some of the conservative group had advised him to give up even trying to organize the House. An old fight for liberalization of the rules of the House had been carried over from the previous Congress. I was chairman of the progressive group and asked for a conference with Mr. LONGWORTH.

The result of this conference was a compromise which eventually led to many changes in the rules, more particularly to the discharge of bills from the committees. He was always fair, and tried to see the opponent's point of view, which was one of the reasons for his great popularity as Speaker.

When his name was presented for candidacy to the high office of Speaker, among the many reasons set forth in favor of his election were his 22 years of faithful service in the House, his profound study of legislation and parliamentary procedure, his unfailing diligence in attendance to the business of the House.

NICHOLAS LONGWORTH was a man of particularly engaging personality, which would have won him a place of honor and responsibility aside from his recognized ability. He possessed a delightful sense of humor, was an interesting and informed conversationalist, and a master of cogent and vigorous argument. He was unfailingly courteous to opposing opinion, and never indulged in discourteous remarks or caustic humor.

He had independence of judgment. It took courage in the campaign of 1912 to stand by his belief and for party allegiance in support of William H. Taft against his father-in-law, Theodore Roosevelt. He did it. It cost him a term in Congress.

Earnestly and zealously he upheld high standards of official conduct. He consistently strove to attain the ideals he expressed in the House on that December 7, 1925, when he took his oath of office as Speaker:

While my ambition to successfully perform the duties of the Speakership is high, I believe, as my personal ambition can be, I cherish also an ambition less personal in its nature which is even higher.

I want to effectively assist in bringing about universal recognition of the fact that the House, closer as it is to the people than any similar body and more directly responsive to their will, is in very truth, as it ought to be, the great dominant legislative assembly of the world. Thus we may rest assured that the Republic of the United States shall forever live and that popular representative government shall never die.

During the years of his able leadership, elected Speaker three times, he accomplished much in balancing the relationship between the two legislative branches of Congress, bringing them nearer the unity intended by the Constitution of the United States.

Ability and pleasing personality are great endowments. NICHOLAS LONGWORTH had both. It was said of him that his "death would cause more sincere grief among more people than that of any other man in public life" and that he had "more real personal friends than any other and would be missed in more ways by more different groups, and for a longer time."

Mr. MOREHEAD. Mr. Speaker, it was my great privilege to be a Member of the House of Representatives during the time when the Hon. NICHOLAS LONGWORTH served as Speaker of the House.

As a presiding officer, he was always fair in his rulings, universally liked by all Members regardless of politics. Although the presiding officer, he was always in sympathy and fair in his dealings with Members of all political faiths.

As evidence of the high esteem of his associates and friends, I include eulogies from the following individuals and official groups:

Concurrent resolution from State Senate and House of Representatives of the State of South Carolina.

Resolution by the Senate of the Territory of Hawaii.

Joint resolution of the One hundred and third General Assembly of the State of Delaware, by both houses.

Resolution by the House of Representatives of the Texas Legislature.

Resolution by the House of Representatives of the State of South Carolina.

Copy of telegram to the House of Representatives, Washington, D. C., expressing condolences on the death of Mr. LONGWORTH, by Dr. Quintin George, President P. S., Chamber of Representatives of the Republic of Cuba. (Through the Department of State.)

Joint resolution, House of Representatives of the State of Alabama, by Pete B. Jarman, jr., secretary of state, Montgomery, Ala.

Resolution by the house of representatives, Harrisburg, Pa. Copy of cablegram quoting a resolution of condolence passed by the Senate of Puerto Rico, from the Hon. Luis Sanchez Morales, president of the Senate of Puerto Rico. (Through the War Department.)

Concurrent resolution

Whereas it has just been learned that Hon. NICHOLAS LONGWORTH, Speaker of the House of Representatives of the United States, died this morning, while visiting at Alken, S. C.; and

Whereas because of his outstanding ability and the utter loyalty he has always shown in the discharge of his duties as a public officer the Nation as a whole has suffered a great loss: Now, therefore, be it

Resolved by the Senate of the State of South Carolina (the House of Representatives concurring), That the sympathy of the State of South Carolina be extended to the family of the Hon. NICHOLAS LONGWORTH in this hour of their great sorrow and bereavement; and

That a copy of this resolution be sent to Mrs. Nicholas Longworth and also to the United States House of Representatives.

A true copy:

[SEAL.]

JAS. H. FOWLES,

Clerk of the Senate of South Carolina.

THE SIXTEENTH LEGISLATURE OF

THE TERRITORY OF HAWAII,

THE SENATE,

Honolulu, Hawaii, April 10, 1931.

THE HONORABLE MEMBERS OF THE HOUSE OF

REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES,

Washington, D. C.

GENTLEMEN: I have the honor to transmit herewith Senate Resolution No. 28, which was this day adopted in the Senate of the Territory of Hawaii.

Very respectfully,

ELLEN D. SMYTHE, Clerk of the Senate.

Resolution—Senate Resolution No. 28

Whereas the sun has prematurely set on the life of the Hon. NICHOLAS LONGWORTH and he has passed forever from our mortal vision, although the memory of him and his accomplishments will linger with us always; and

Whereas we realize what a great loss his passing will be to the Republican Party and to the Congress of the United States, where he has been Speaker of the House of Representatives for the past six years, and where he has served as a Republican member over a period of 30 years; and

Whereas, ever since he entered politics, three decades ago, he has been recognized as a statesman without a peer; and

Whereas, he was a man whose heart was as big as his brain was brilliant, and whose thoughts were focused ever on the good he could do for others, regardless of the cost to himself; and

Whereas, we, the members of the Senate of the Territory of Hawaii are cognizant of the friendly attitude he has maintained toward this Territory, and whom many of us have been privileged to know personally and to have thus learned to appreciate his sterling character, as well as his eminent statesmanship: Now therefore, be it

Resolved, That we, the members of the Senate of the Territory of Hawaii, session of 1931, do by this means express our deep regret that his career has been brought to a close at a time when his highest ambitions and ideals were being realized; and be it further

Resolved, That we, the members of the senate here assembled, do extend to his widow, Alice Roosevelt Longworth, and to his family, our deepest sympathy in this, their hour of bereavement; and to extend the comfort of the thought of Longfellow that:

"There is no Death! What seems so is transition;

This life of mortal breath

Is but a suburb of the life elysian,

Whose portal we call Death."

and be it further

Resolved, That we do express to the House of Representatives of the Congress of the United States our sincere regret at the loss to them of their much loved and honored Speaker, who possessed the rare combination of the knowledge of and sympathy with mankind, coupled with his ability as a leader; and be it further

Resolved, That this resolution be adopted by a rising vote and that when the senate adjourns to-day it does so out of respect to the memory of NICHOLAS LONGWORTH—a man whose friends loved him and whose political enemies had for him the highest respect; and be it further

Resolved, That a copy of this resolution be transmitted to Mrs. Longworth and to the House of Representatives of the Congress of the United States.

THE SENATE OF THE TERRITORY OF HAWAII,

Honolulu, T. H., April 10, 1931.

We hereby certify that the foregoing resolution was this day adopted in the Senate of the Territory of Hawaii.

COBERT W. SHINGLE,

President of the Senate.

ELLEN D. SMYTHE,

Clerk of the Senate.

House Joint Resolution No. 9, expressing the sorrow of the General Assembly of the State of Delaware at the news of the death of the Hon. NICHOLAS LONGWORTH, the Speaker of the House of Representatives at Washington and a Member of that body from the State of Ohio

Whereas the General Assembly of the State of Delaware has just learned with profound sorrow of the death of the Hon. NICHOLAS LONGWORTH, the Speaker of the House of Representatives of the United States at Washington and a Member of that body from the State of Ohio; and

Whereas the deceased was not only recognized as an eminent lawyer but served the people of his State of Ohio on their boards of education in their State senate, and in many other positions of trust and responsibility at home as well as nearly 30 years in the Congress of the United States and was recognized by the people of the United States, irrespective of party affiliation, as one of the outstanding Americans of the age, and one who in his long and honorable service gave to the people of his State and country the benefits of a learned and efficient statesmanship; and

Whereas by the death of Mr. LONGWORTH the country sustains an irreparable loss: Therefore be it

Resolved by the Senate and House of Representatives of the State of Delaware in general assembly met, That the General Assembly of the State of Delaware by this resolution, in its humble manner, desires to express its sorrow at the great loss the country has sustained in the death of Mr. LONGWORTH and to extend to his bereaved family its sympathy in this hour of its great trouble; and

That a duly certified copy of this resolution be sent to the National House of Representatives and to his widow, Alice Roosevelt Longworth.

[SEAL.]

BUD COY,
Speaker of the House of Representatives.
DAVID HOLLEY,
Clerk of the House of Representatives.

HOUSE OF REPRESENTATIVES STATE OF TEXAS,
Austin, April 13, 1931.

HON. WILLIAM TYLER PAGE,

Clerk House of Representatives, Washington, D. C.

MY DEAR SIR: On April 10 the House of Representatives of the Texas Legislature adopted the inclosed resolution expressing its sympathy and joining the American people in their grief at the death of Hon. NICHOLAS LONGWORTH.

The members of the Legislature of Texas were deeply grieved by the passing of this great American and greatly deplore the loss which his death has occasioned the people of this Nation.

Very truly yours,

LOUISE SNOW PHINNEY,
Chief Clerk House of Representatives.

Resolution

Whereas on yesterday, April 9, Hon. NICHOLAS LONGWORTH, of the city of Cincinnati, and Speaker of the House of Representatives of the American Congress, was called by death; and

Whereas the Speaker of the House of Representatives of the State of Texas, upon being advised of his death, appointed a committee from the house to prepare and submit to this house suitable and proper resolutions on the death of this distinguished American; and

Whereas Texas shares in common with her sister States the grief and loss occasioned by the death of this outstanding son of the great State of Ohio, she also recalls and pauses now to express a remembered gratitude to Cincinnati and Ohio for the sympathy and support accorded by them to Texas in the struggle and achievement of the young Republic; and

Whereas the Hon. JOHN N. GARNER in his tribute appearing in to-day's press, to the memory of Mr. LONGWORTH, expresses the feelings and sentiments of the people of Texas, and which is as follows:

"I was intimately associated with Speaker LONGWORTH for nearly 30 years. We were elected to Congress the same year and from the beginning served on the same committees—Foreign Affairs and Ways and Means. He went to the Speakership; I, to the leadership of the Democratic minority. I knew him as a man and as a legislator and he was the best type of each. His statesmanship was of the highest and most patriotic; true he was a partisan, but he was honest and courageous and loved his country. He was as fair and impartial a Speaker as the country has had in the last half century. He was a regular Republican, which means that he believed in party organization and party responsibility, which is the opinion of most men who have had experience in legislative efforts. It has been our constant habit for years to meet each evening after Congress adjourned and discuss the happenings of the day and the probable happenings of the to-morrow. In these late afternoon conferences we often discussed the policies of the Congress in a patriotic spirit, and many propositions were solved. A good many of them are on the statute books to-day. Of course we had differences, and our political fights were sometimes intense, even tinged with acrimony, but there was always respect for the views of each and a realization that each was trying to serve his country from his respective point of view. When the fight was over, our efforts were celebrated in the usual manner, differences forgotten, and good fellowship resumed. LONGWORTH and I were closely associated socially. I had the pleasure of attending his wedding. He was an aristocrat; I am a plebeian. Perhaps the very fact of our different rearing intensified our interest in each other. I have lost one of the best friends of a

lifetime, the country a good citizen, and the Congress a most valuable legislator." Therefore be it

Resolved by the House of Representatives of the State of Texas, That it express its approval of the sympathy and sentiments expressed by Hon. JOHN N. GARNER on the death of Hon. NICHOLAS LONGWORTH; that we concur in the estimate he formed and held of this great American; we appreciate and deplore the loss which his death has occasioned the American people, and we join Cincinnati and Ohio in their grief.

Be it further resolved, That a copy of these resolutions be sent to the Chief Clerk of the Congress of the United States and to the Governor of the State of Ohio, and the mayor of the city of Cincinnati.

McGREGOR.
KELLER.
SATTERWHITE.

Adopted unanimously by a rising vote.

FRED H. MINOR,
Speaker of the House.
LOUISE SNOW PHINNEY,
Chief Clerk of the House.

Resolution

Whereas it has just been learned that Hon. NICHOLAS LONGWORTH, Speaker of the House of Representatives of the United States, died this morning while visiting at Aiken, S. C.; and

Whereas, because of his outstanding ability and the utter loyalty he has always shown in the discharge of his duties as a public officer, the Nation as a whole has suffered a great loss: Now, therefore, be it

Resolved by the House of Representatives of the State of South Carolina, That the sympathy of the State of South Carolina be extended to the family of the Hon. NICHOLAS LONGWORTH in this hour of their great sorrow and bereavement.

That a copy of this resolution be sent to Mrs. Nicholas Longworth, and also to the United States House of Representatives.

IN THE HOUSE OF REPRESENTATIVES,
Columbia, S. C., April 9, 1931.

I hereby certify that the foregoing is a true and correct copy of the resolution adopted by the House of Representatives this day.

[SEAL.]

J. WILSON GIBBES,
Clerk of the House.
Per D. N.

DEPARTMENT OF STATE,
Washington, April 24, 1931.

Mr. JOSEPH G. RODGERS,

Sergeant at Arms of the House of Representatives,
2924 Macomb Street, Washington, D. C.

SIR: There is transmitted herewith copy of a telegram, with translation, addressed to the Presiding Officer of the House of Representatives by Dr. Quintin George, President P. S., Chamber of Representatives of the Republic of Cuba, expressing condolences on the death of Mr. LONGWORTH.

Very truly yours,

For the Secretary of State:

WILLIAM J. CARR, Assistant Secretary.

(Inclosure: From Dr. Quintin George, April 13, 1931.)

HABANA, April 13, 1931.

The PRESIDING OFFICER,

House of Representatives, United States of America,
Washington, D. C.:

The Chamber of Representatives at to-day's session passed a resolution to express to your honorable body its sincere condolence for the lamented decease of the Speaker of the House, Mr. NICHOLAS LONGWORTH.

DR. QUINTIN GEORGE,
President P. S., Chamber of Representatives
of the Republic of Cuba.

HABANA, April 10, 1931.

HONORABLE SPEAKER PRO TEMPORE,
United States House of Representatives,
Washington, D. C.:

In the name of the Congress of the Republic of Cuba and in my own allow me to express to the Members of the American Congress our most sincere condolences for the demise of Speaker LONGWORTH.

DR. CLEMENTE VAZQUEZ BELLO,
President of Congress of Republic of Cuba.

APRIL 22, 1931.

HON. CLEMENTE VAZQUEZ BELLO,

President of Congress of the Republic of Cuba,
Habana, Cuba.

SIR: On behalf of the Members of the National House of Representatives, I have the honor to acknowledge the receipt of your telegram of April 10, expressing in the name of the Congress of the Republic of Cuba, and in your own, sincere condolences for the demise of Speaker LONGWORTH, for which expression at this time I extend the thanks of the Members of the National House before which the message will be presented when Congress convenes.

I have the honor to be, sir, very respectfully yours,

WILLIAM TYLER PAGE,
Clerk of the House of Representatives, United States.

STATE OF ALABAMA,
OFFICE OF SECRETARY OF STATE,
Montgomery, April 25, 1931.

To the honorable CLERK OF THE
HOUSE OF REPRESENTATIVES,
Washington, D. C.

DEAR SIR: I am inclosing herewith House Joint Resolution 104, by Pitts, pertaining to the death of Hon. NICHOLAS LONGWORTH, Speaker of the House of Representatives. This as requested in the joint resolution.

Yours very truly,

PETE B. JARMAN, Jr.,
Secretary of State.

House joint resolution

Whereas death has come to NICHOLAS LONGWORTH, Speaker of the National House of Representatives, a wise and good man, and Whereas Mr. LONGWORTH was always just in his political dealings, his justice knowing no party lines: Therefore
This legislature expresses its sorrow at his death and its sense of loss at his passing.

Resolved further, That the secretary of state of Alabama shall send a copy of this resolution to the National House of Representatives, Washington, D. C.

Approved April 21, 1931.

THE STATE OF ALABAMA,
DEPARTMENT OF STATE.

I, Pete B. Jarman, jr., secretary of state of the State of Alabama, do hereby certify that the pages hereto attached contain a true, accurate, and literal copy of House Joint Resolution No. 104, by Pitts, approved April 21, 1931, as the same appears on file and of record in this office.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State, at the capitol, in the city of Montgomery, this 25th day of April, 1931.

[SEAL.]

PETE B. JARMAN, Jr.,
Secretary of State.

HARRISBURG, PA.,
IN THE HOUSE OF REPRESENTATIVES,

April 14, 1931.

While yet in love with life and raptured with the world, NICHOLAS LONGWORTH, Speaker, statesman, artist, and gentleman, swiftly passed into that dreamless silence of the dead;

Tolerant, tactful, fair, and honest, he takes his place in history as an outstanding wielder of the gavel in our National House of Representatives;

Born of wealth, reared in luxury, educated without stint, when man's estate arrived, he mixed and mingled with the crowds, and on his own he climbed the mountain peak;

The artistry of the skilled musician, the aggressiveness of the politician, the fearlessness of the statesman, the fineness of the gentleman, combined to make a man, respected by his fellow men;

While eager, kindly winds were kissing every sail of life's frail bark and carrying on to better, richer ports, he struck the unseen rock that lurks beneath the silver sea and now the billows roll above that stricken craft and he is gone;

With many milestones left unpassed upon the road of life and ere the setting sun had cast its taller shadows to the east, he wearied of the trail and fell asleep;

A life whose every moment gleamed with love of friends and every hour was studded thick with jewels of memory became too soon a sad and sorrowing tragedy: Therefore be it

Resolved, That in the passing of the Hon. NICHOLAS LONGWORTH, the House of Representatives has lost a fair, impartial, and fearless Speaker, and a Member who possessed the qualities of genuine statesmanship;

That the Nation has lost a strong and outstanding figure, who contributed his all to the common good;

That the district he represented has been deprived of the services of one who knew its needs and whose public career was a credit to it;

That while we feel the ineffectiveness of any act of ours to in any way assuage the grief and loss of those who must deeply mourn his loss, we extend to them our deepest and most profound sympathy;

That a copy of these resolutions be forwarded by the chief clerk of the house to the widow of the Hon. NICHOLAS LONGWORTH, and to the Chief Clerk of the House of Representatives of the Congress of the United States, and that they be spread upon the journal of this house.

The foregoing is a true and correct copy of the resolution passed in the house of representatives, the fourteenth day of April, one thousand nine hundred thirty-one.

C. J. GOODNOUGH,
Speaker, House of Representatives.
E. F. WHITE,
Chief Clerk, House of Representatives.

WAR DEPARTMENT,
Washington, April 16, 1931.

The SPEAKER,
House of Representatives.

SIR: In compliance with the request contained therein, there is transmitted herewith a copy of a cablegram quoting a resolution of condolence passed by the Senate of Porto Rico upon the death of the Hon. NICHOLAS LONGWORTH, late Speaker of the House of

Representatives, which has just been received from the Hon. Luis Sanchez Morales, president of the Senate of Porto Rico.

A copy of the above cablegram has been transmitted to the President of the Senate.

Respectfully,

PATRICK J. HURLEY,
Secretary of War.

(1 inclosure.)

APRIL 10, 1931.

The Hon. PATRICK J. HURLEY,
Secretary of War, Washington, D. C.:

I have the honor to inform you that at a meeting held to-day the Senate of Porto Rico adopted the following resolution expressing the condolence of the Senate of Porto Rico on the death of the Hon. NICHOLAS LONGWORTH, Speaker of the House of Representatives of the United States of America.

Whereas the Hon. NICHOLAS LONGWORTH, a Member of Congress and Speaker of the House of Representatives of the United States, has departed this life;

Whereas the death of the Hon. NICHOLAS LONGWORTH represents a sad and immense loss to the American people, while to Porto Rico it means the loss of a friend who was always ready to cooperate in benefit of the interest of our island.

Whereas the deceased was the brother-in-law of our governor, the Hon. Theodore Roosevelt:

Now, therefore, be it resolved by the Senate of Porto Rico (1) to state and enter on the record the fact that the senate has with deep sorrow learned of the death of the Hon. NICHOLAS LONGWORTH; (2) to transmit a cablegram to the widow of the Hon. NICHOLAS LONGWORTH, the Congress of the United States, and the President of the Nation, expressing to them our most sincere condolence; (3) to designate a committee to call upon the Governor of Porto Rico to express to him our participation in his sorrow.

The senate also resolved to adjourn to-day's meeting as an expression of sorrow over the death of Speaker LONGWORTH.

I beg of you to inform Speaker LONGWORTH's widow, his Excellency President Hoover, and the Congress of the United States of the resolution transcribed above.

LUIS SANCHEZ MORALES,
President of the Senate.

Mr. McKEOWN. Mr. Speaker, the tragedy of our American life is the fact that the sons of our wealthy citizens take so little interest in governmental affairs, especially in the House of Representatives. The late Speaker, who came into this House to serve his district and the Nation through many years leaves a career that merits the plaudits of all good citizens, and his example should be emulated by future sons of the well-to-do. The life in the House is no flowery bed of ease, but it is the great arena of statesmanship, where all must stand or fall upon merit alone. Here wealth will not win nor poverty prejudice.

In the very early days of my apprenticeship, in the war days, I first came in personal contact with the late Speaker. I had voted to let Colonel Roosevelt go to France; and since I was a Democrat, he came to express his appreciation.

He understood the hardships of a new Member and was always genial and approachable. He was more concerned about having the good wishes of his colleagues and their esteem than any office in the gift of the Nation.

I think probably there are few places where the measure of a man is more completely taken than right here among Members of this House, and it is said of Mr. LONGWORTH that no man had more real friends, not only among his party associates but among those of the opposing political faith.

He was a great party leader, a greater Speaker; and when the gavel fell, as it were, from the grasp of his nerveless hand, he passed over the divide to preside in the hall of the great of all times.

Mr. SNELL. Mr. Speaker, the entire American Continent mourned the death of NICHOLAS LONGWORTH. He had a warm place in the hearts of his fellow Americans. No wonder. He was intensely human. His kindly nature was unspoiled by political conflicts and the responsibilities of official station. He was a manly man.

To me his sudden, tragic, and pathetic passing terminated a personal friendship which daily association in a common official and political relationship had created over a period of more than eight years.

Prior to his election as majority leader of the House our acquaintanceship was comparatively casual, merely that of two Members of the House serving on different committees whose contacts were chiefly on the floor of the House.

The election of Mr. LONGWORTH as leader of the Republican Party in the House came at a time which tested his

capacity for leadership. He met the test. A small group in his own party held the balance of power and demanded concessions for their support. The problems arising out of this situation he met and solved with that natural ability and finesse which characterized his whole career. He had the happy faculty of conciliating his foes and keeping his friends, and at the same time preserving his principles. He would never sacrifice his convictions for the sake of expediency. He had the approbation of his own conscience. His affability and his good judgment, combined with rare tact and discretion, won for him the affection of the House.

When he aspired to the Speakership of the House, having won his spurs as majority leader, he contended with his friend the late beloved Martin Madden, himself a leader and political antagonist, who proved to be a worthy foe. Both men had earned the respect and admiration of their party associates, and a choice between them was no easy task. They fought a good fight, Mr. LONGWORTH winning out; but the result left no scars and Speaker LONGWORTH entered upon his duties with the good will and cooperation of his fellow Republicans, and with the esteem of his friends on the Democratic side.

The high regard in which Mr. LONGWORTH was held extended into every stratum of political and social life, from the highest to the lowest. An aristocrat to the manner born, yet his life was simple and unaffected and his manners democratic and those of a true gentleman.

Mr. LONGWORTH's three terms as Speaker of the House were distinguished for his fairness and for his wise rulings. He added prestige to the House. He actually raised the House, none too popular at any time, to a place of respect and admiration in the Nation. He was proud of the body over which he presided with consummate skill, and his zealous regard for its dignity and place in our governmental scheme won the plaudits of its Members regardless of party.

Mr. LONGWORTH was a partisan when occasion demanded partisan action, but his partisanship was never offensive.

He believed, to quote his own words, that—

The basic principles which have made the Republican Party what it has been and is to-day, the true medium for the expression of the desires and aspirations of the majority of the people of the United States.

Yet in the office of Speaker, as presiding officer of the House, one could not have discerned from his conduct to which party he was attached, so well did he exemplify his own ideal and conception of the character of that high station.

Upon assuming the Speakership the first time, he announced his belief and purpose concerning the office and its proper administration in these words:

The functions and duties of the Speakership, as I view them, divide themselves into two general classes, the one parliamentary, the other political.

The first I propose to administer with most rigid impartiality, with an eye single to the maintenance in the fullest degree of the dignity and honor of the House, and the rights and privileges of its Members. I promise you that there will be no such thing as favoritism in the treatment by the Chair of either parties or individuals.

That he kept faith with himself and with the House is amply attested by the genuine high regard and affection of his associates on both sides of the House. The feelings of the Members, without exception, toward Speaker LONGWORTH could not be better expressed than by the distinguished gentleman from Georgia [Mr. CRISP], himself an able legislator and parliamentarian and the son of a former Speaker, when at the close of the last Congress, not long before Speaker LONGWORTH's gavel fell for the last time, Mr. CRISP uttered this encomium, which also was a requiem:

I recall that when our distinguished Speaker first assumed the chair he made this statement, that as a Representative from one of the congressional districts of Ohio he was a partisan; that as the Speaker of the House he would know no partisanship but would be the Speaker of the entire body and faithfully, fairly, courteously, and impartially discharge the duties of that great office. I desire to say that he has kept faith and lived up to that promise. He will take rank as one of the great Speakers of this House.

We miss the wise counsel, the unfaltering leadership, the inspiration, and the amiable fellowship of our beloved friend NICK LONGWORTH.

Mr. WIGGLESWORTH. Mr. Speaker, Shakespeare has referred to "wisdom" as "a word that all men love." Wisdom deserves this response, for in the long run wisdom spells success, and lack of wisdom spells failure, in every field of endeavor. Wisdom outstanding in his chosen field characterized our late and loved Speaker, Hon. NICHOLAS LONGWORTH, of Ohio.

Other qualifications were his in abundance. His splendid abilities were self-evident. These abilities, asserted early in life, enabled him to serve his city and his State as a member of the school board in Cincinnati, as a representative and as a senator in the Legislature of Ohio. These abilities also carried him into the service of the Nation, electing him to Congress no less than 14 times. They won for him important committee assignments in the House. They made him its majority leader. They brought him ultimately the highest honor which his colleagues could confer upon him—the speakership—a high office to which he was three times elected; a high office which he filled with dignity, with courage, and with fairness to all.

Human qualities were also his in full measure. His understanding of human nature, his generosity, his humor, his good-fellowship, these and other characteristics endeared him to the Members of the House and won for him a host of friends in every walk of life.

His wisdom made him a great Speaker of the House of Representatives. No one who knew him as presiding officer and leader of his party in the House could fail to recognize his rare foresight, his unusual power to estimate accurately the result which could be attained, his unerring skill in finding the means best suited to its attainment, his ability in a word to make the right application of knowledge.

Those of us who were privileged to serve with him as friend and as colleague can best appreciate the value to the Nation of his experience, of his wisdom, of his life of public service. We can best appreciate, Mr. Speaker, in these difficult times, when in every walk of life the world cries out for intelligent and effective leadership, how great was America's loss in the passing of our loved leader.

Mr. BACHARACH. Mr. Speaker, we meet to-day according to custom to pay tribute to the memory of those of our colleagues who have passed to the Great Beyond since the last session of Congress. But this day has more than special significance, since among those who have left our midst is our beloved friend and former Speaker, NICHOLAS LONGWORTH.

But three Speakers in the history of the House occupied longer the chair to which Mr. LONGWORTH was elevated by the Republican membership after 20 years of service in the House. Prior to his election as Speaker he had served with distinction as Republican floor leader and as a member of the Committee on Ways and Means.

It was my pleasure to meet Speaker LONGWORTH for the first time in the spring of 1915, following my first election to the House of Representatives, when he came to Atlantic City to address a Republican gathering there. We became rather well acquainted in the several days which he spent in Atlantic City, and that acquaintance ripened into a warm and sincere friendship which I shall ever cherish as one of the happy memories of my service in the National Congress. At the time of his death it was my great privilege to hold a closer relationship with him than perhaps any other Member of the House.

Speaker LONGWORTH was an exceptional man in many ways; he might well be referred to as an "institution" as a result of his long and valuable service in the House of Representatives. A brilliant scholar, a statesman of accomplished attainments, a master of parliamentary law and procedure, he will go down in history ranking high among the few really great Speakers of the House.

A gentleman to the manner born, he was possessed of a magnetic personality and with it all a "man's man." To have the good fortune to know him intimately was indeed a real privilege, for to know him was to appreciate his abundant good qualities and to love him for his rare charm.

It was my pleasure, as one of his close friends and advisers, to sponsor and take an active interest in his first

election as Speaker of the House. There was considerable opposition to his candidacy, and it was no easy matter to defeat his opponent, the late and lamented Martin B. Madden, who had served in the House for so many years with honor and distinction. The record left by our departed friend as Speaker of the House will ever remain a mark of high tribute from him to the friends who loyally stood by him and contributed to his election to the highest office in the National Congress. If, in the years which I have already served in the House and to those to come, my service to my country shall otherwise be little noted, I shall always feel that in helping to elect NICHOLAS LONGWORTH as Speaker of the House I have in no small measure contributed to the future history of our country.

As I think of him now my memory goes back to the closing day of the Seventy-first Congress, when he addressed his colleagues for the last time, and I wonder what prophetic vision prompted him at that time. His short address to the House on that occasion is well worth repeating here as a reminder to all of the uncertainty of life and the futility of speculating upon what the future holds in store for us. At that moment the make-up of the House was such as to practically assure his reelection as Speaker in the next Congress. He said:

Perhaps this is the last time I will address you from this rostrum. It is only an all-wise Providence who is going to determine which of the two major parties will organize the next House. With whatever Providence may decree, I am abundantly satisfied. If I am to retire from this office, I do so with profound gratitude to my colleagues, not so much for having elected me to this, the greatest office in any legislative branch in any government of the world, but more for the evidence of the esteem and confidence you have had in me.

It is a strange coincidence that from that time on the hand of Death should have been laid upon a sufficient number of our membership to change the political majority in the Congress and assure the election of the present Democratic Speaker.

Mr. FRENCH. Mr. Speaker, how rapid the change in personnel in a legislative body that we believe to be perpetual may be indicated by the fact that after 28 years only five Members whose original services commenced with the Fifty-eighth Congress, March 4, 1903, entered upon their services as Members of the present Congress. About 121 Representatives were elected for the first time in 1902.

The five who entered at that time who were elected in 1930 to the Seventy-second Congress were the late Speaker of the House of Representatives, NICHOLAS LONGWORTH; the present Speaker, JOHN N. GARNER; the Democratic floor leader, HENRY T. RAINEY; the distinguished Representative from Wisconsin, WILLIAM H. STAFFORD; and myself.

Shortly after the commencement of the present Congress, however, this circle was broken by the passing of our late Speaker. The Members of the Congress, regardless of party, were controlled by one thought in the death of Mr. LONGWORTH, namely, that they had lost a personal friend.

Others will refer to the intimate features of the life of the late Speaker. May I refer to just a few of his characteristics that impressed me as a coworker?

Probably no group more accurately or more relentlessly appraises the worth and fitness of the individual Members of the group than does the House of Representatives. Here all meet upon a common plane; here there is no place for sham; here there is no place for hypocrisy; here there is no place for dishonorable practice; here there is no place for bluntness and discourtesies; no place for any of these frailties for the man whose service would be long and influential. Certainly there is no place for such things upon the part of one who may be chosen by his colleagues to fill responsible positions within the gift of the Members of the House.

NICHOLAS LONGWORTH was a man of ability. He was educated and trained in our foremost institutions of learning. He was possessed of an aptitude for matters pertaining to government. He was well informed, broadly read, possessed of wide acquaintanceship among people of our country and other countries who were most worth while. He was tremendously devoted to the principles that his conscience told

him were right and sound. He was persistent as a student and as a legislator, and yet probably the one thing that characterized the late Speaker more than anything else and brought him the degree of success that attached to his name was his kindness toward his fellow Members.

Mr. LONGWORTH's service was broken by but one term. He was repeatedly reelected because of his strength as a legislator and as a man, and he continued to maintain his position of leadership in the House of Representatives because he was recognized among his colleagues as a man of strength. He was aggressive, but he was kindly. He was a leader but he led by being himself in the front and by being fair and just toward those who were associated with him.

As a Member of the House our late colleague did not make it his business to speak upon every opportunity and upon every subject. Yet when he did speak he commanded the attention of his colleagues. He commanded the attention of his colleagues because he preferred to speak only upon subjects with which he was acquainted, because he had courage, and because he placed the great well-being of our country above the personal equation and above the aspiration and ambition of any local community or State.

As a public speaker Mr. LONGWORTH never could be classed as one of the old fervid type who indulged in rhetoric and word pictures; rather he belonged to the new type, to the type that is consistent with the practical man of affairs, the business man, the student, who is capable of translating his philosophy into the common everyday experience and language of the world; and it was because of this that he invited command and sustained his position in the House.

Mr. LONGWORTH came to the floor leadership of the Republicans in the House of Representatives at a time when the membership of his party was large and when conditions were right for possible schism within party ranks. How well Mr. LONGWORTH conducted himself as Republican floor leader can best be told by recalling that upon the completion of his services as leader of his party on the floor he was elevated to the high office of Speaker, where for three terms he served with great distinction and ability, and where under his leadership the House of Representatives came to occupy a plane of admiration and respect in the public mind that it had not occupied for a generation.

One of the fine virtues of man is loyalty. NICHOLAS LONGWORTH was loyal to his friends. He was loyal to principles. He was a partisan. It was natural for him to believe that his friends could not be wrong. He would go the limit for them. Even so, he was fair and just to his opponents; and as he retired from the Speakership of the House of Representatives he carried with him the good will of Republican and Democrat alike in the thought that he had performed the high office of Speaker faithfully, courteously, courageously, impartially, and that in the history of the Republic his name would be placed alongside of the names of the great Speakers of the House.

Mr. CHINDBLOM. Mr. Speaker, probably every Member of the House of Representatives in the Seventy-first and immediately prior Congresses would wish to speak a word on the memory of the late Speaker, the Hon. NICHOLAS LONGWORTH, of Ohio. His passing was so sudden, so unexpected, but withal so significant, that his friends are yet astounded and bewildered by the strange ways of a benign Providence. True, he spoke almost prophetically when he said at the closing of the Seventy-first Congress that the selection of a Speaker for the Seventy-second Congress lay in the laps of the gods, and that for the honors he had received he was "abundantly satisfied," but none of us expected those to be his last words in the Chamber of the House. We who recall him as a leading member of the Committee on Ways and Means, then as Republican floor leader, and then for six years as Speaker of the House, will never forget his kindly nature, his human sympathy, his clear and convincing diction, his power in debate, his clear understanding of parliamentary procedure, his comprehensive grasp of public questions, and his patriotic devotion to the welfare of the entire Nation. There was nothing personal, narrow, or sectional in his viewpoint or action in any matter of

public concern. He was a man's man in his personal relations and a statesman of full stature in his public service. I hold him in high esteem and affectionate personal regard.

Mr. SNOW. Mr. Speaker, the passing of Hon. NICHOLAS LONGWORTH greatly saddened our hearts and it is difficult to adequately express in words the affection in which he was held by the entire membership of this House—Democrats and Republicans alike.

Recognized as a great parliamentarian and presiding officer, his rulings and decisions were universally considered fair and impartial, and he deserves to be long remembered for his exceptional legislative work. He was true to the party with which he acted, but for his opponents he had no words of abuse and accorded them the same freedom of opinion he claimed for himself, and to them was always considerate.

In manner he was sociable and dignified; in conversation, entertaining; and while possessing qualities of the most positive character, his nature was so kindly and his disposition so courteous that he had fewer collisions in the many and diverse kinds of legislation in which he took a most active part than fall to the lot of the most favored few. This positiveness of character led him not to fear antagonism, but his kindness of heart raised up friends and prevented life-long enmities.

In his service as Speaker he worked hard and incessantly, and it is more than probable that his close application to his public duties during the last trying session of Congress and his deep anxiety that all matters with which the country was concerned should go well so wore upon him and sapped his strength as to cause his premature end.

NICHOLAS LONGWORTH has left in the House of Representatives no enemies; all who even knew him slightly were his friends. The country can ill afford to lose him, and it is a matter of universal regret that death prevented him from rendering many additional years of useful service to the Nation.

Mr. TILSON. Mr. Speaker, I can not permit the RECORD to close without a word for the memorial volume on the life and public services of the late Speaker NICHOLAS LONGWORTH. Others will tell of his many fine qualities of head and heart as well as of his deeds as a many-sided man and public servant. I shall try to describe but a single quality possessed by him which added greatly to his personal charm and which was the key to his unusual effectiveness as a legislator. If called upon to describe this quality in a single phrase, I should characterize it as the ability to cooperate. In social intercourse it enabled him to play not only any rôle assigned him but almost any other necessary to round out or make complete the joy and jollity of the party.

In his work as a legislator it was his most valuable asset, enabling him not only to use his own talents to the best advantage but also to greatly increase their effectiveness by adding to them the results of the cooperative efforts of others. My own impressions of LONGWORTH's somewhat unique ability to cooperate successfully with others were gained through an experience of 20 years as a colleague, but particularly during the last 12 years of our service in the House of Representatives together.

I first met NICHOLAS LONGWORTH as a colleague at the extra session of the Sixty-first Congress in 1909. He was then a member of the great Ways and Means Committee, and, as President Taft had called us together to revise the tariff, I soon had opportunity to see him in action. During the next four years I came to know him and to love him, as did all who came near enough to him. He and I then had the common experience of being "lame ducks" together, of taking a 2-year furlough without pay during the Sixty-third Congress, and ultimately, along with Uncle Joe Cannon and a number of others, of being fellow "comebacks" in the Sixty-fourth Congress. He was restored to his old Committee on Ways and Means at once and I joined him on the committee at the beginning of the Sixty-sixth Congress, immediately following the Great War.

During the tariff revision of 1921 and 1922 LONGWORTH served as chairman of the subcommittee on the chemical schedule, while I presided over the metal and sundries sched-

ules, and others over the other schedules, but there was the greatest possible necessity for cooperative effort in bringing all the schedules into proper adjustment for a well-balanced, completed tariff bill.

In the Sixty-eighth Congress the party majority had almost vanished. LONGWORTH was chosen majority leader and was enabled to "carry on" as such by his ability to utilize to the best advantage possible the support of his lean majority of party coworkers.

When he became Speaker at the beginning of the Sixty-ninth Congress I became majority leader, and for six years our labors together might be described as that of yokefellows. For the successful working out of a legislative program it is absolutely essential that the Speaker and the majority leader be able to work together in such accord that the result of their combined labors may be the unified judgment of both.

In this relationship no majority leader ever had a fairer or more just share of the inevitable responsibility than I had with NICK LONGWORTH. He was always willing to give and take. He always had ideas as to what was best to do as each emergency arose requiring a decision, but he never insisted upon having his own way unless he was able by logic and sound reasoning to convince others of the wisdom of his proposed solution of the problem.

I can imagine nothing more unsatisfactory or uncomfortable, and in the end nothing less conducive to the public interest, than a situation where the Speaker either contributes nothing to the solution of the problems arising or, on the other hand, where the Speaker attempts to completely dominate the House without regard to the views or judgment of the majority leader; for, after all, the majority leader is chosen by the party itself to direct the party program on the floor of the House. While properly jealous of the rights of the great office of Speaker, LONGWORTH was great enough in himself to properly recognize the position and responsibility of his party team mate and so cooperated with him as to give the House and the country the resultant benefit of their united, unified efforts.

The cooperative spirit of LONGWORTH went to the generous extent of being willing to assume his share of the responsibility and take his share of the resulting grief. Nor did he belong to that all too numerous class of individuals always willing to allow others to shoulder the burden of the work provided they themselves receive all the credit for the result.

No one had a better opportunity to know LONGWORTH in his work on Capitol Hill than I, and I measure my words in saying that as a fellow toiler in the legislative field, as a coworker in the Nation's business, as a yokefellow, willing to draw his share of the load, he was preeminent. By reason of this quality he secured results unattainable by others not inferior in ability but lacking this characteristic. By its use he used the ability of others joined with his own for the more effective service of the country he loved.

MATTHEW VINCENT O'MALLEY

Mr. DELANEY. Mr. Speaker, although I was a Member of the Sixty-fifth Congress, my service in the House has now passed the half-year mark in the Seventy-second Congress, but it is a completion of a fruitful and delightful six months of companionship and friendship, signalized by an opportunity for the greatest education that our country now affords to any American citizen.

When we assemble in this historic Hall to pay tribute to the memories of our departed colleagues, we fully realize the responsibilities and the duties that bring us here and the value of their association and services. At such a time we stand in the presence of a great mystery in which we are all eventually equal. High or low, rich or poor, millionaire or mendicant, king or subject, all must answer the same call to march through that grim and ghostly cordon beyond which we may well all meet when the sun goes down and the final day is done.

The Grim Reaper during the past few months has been active in our ranks, and to-day we assemble to honor the life, the achievements, and the memory of MATTHEW V.

O'MALLEY, a Representative from the great State of New York.

I shall find it difficult to enter this sanctuary during the remainder of my tenure of this great office without thinking of my friend who is gone.

There is a truism that "man proposes and God disposes." This is particularly true in the case of my late departed friend. For many years he cherished the ambition to sit in the Halls of Congress, only to be denied this privilege after being selected by the voters of the seventh congressional district of Brooklyn, N. Y., as their representative.

As boys, Matt and I played together. His chums were my chums; his friends were my friends. Our families visited one another. We grew up together. We met daily. Our friendship grew with the passing of time. A half century passed and we retained the same friendly feeling toward each other.

His dealings with his business and social acquaintances were beyond question. He was a friend in stormy weather. Few sought his aid who did not leave MATT O'MALLEY with his wishes gratified. MATT O'MALLEY was a kindly man. He loved to help the unfortunate. No charitable cause ever failed to enlist his ready sympathy. No one in trouble ever appealed to him in vain. It was this great spirit of helpfulness so characteristic of our dead colleague which united him with grips of steel to the people of his district regardless of party affiliation.

MATT O'MALLEY would have been an outstanding figure in any group into which he might have been thrown. In school he always played his part, whatever it might be, in such a manner as to distinguish himself and to make himself notable among his fellows. It was ever so throughout his life in whatever activity he might engage. He loved his native Brooklyn and New York with more than filial devotion. To the welfare of both he gave his manifold talents unstintedly and unsparingly. He cherished the lofty traditions and high ideals of Brooklyn and New York and lived up to them worthily. He was a student at the Parochial School of the Assumption and Public Schools No. 1 and No. 5.

His rise to place and distinction in this House would have been inevitable and be credited specially to two outstanding characteristics, each of these being the result of certain conspicuous qualities of mind and heart innate in his character.

I have spoken, as others will speak, of his attractive, pleasing personality. This inevitably brought and kept him many friends. The spirit of comradeship was his to a remarkable degree. His personal hold upon his friends added greatly to his effectiveness as a public servant. He made friends rapidly and retained them. The sad news of his sudden and untimely taking-off came as a shock to a host of friends who had learned to love and admire him with deep affection. In his death every one of his colleagues in this House and thousands of friends in every part of the Nation experienced a sense of personal loss. This was because to MATT O'MALLEY friendship was something more than a name. It was a passion and a virtue. It was a part of his very being.

I can recall one of his outstanding attributes, that of gratitude. In my conversations with him he often spoke of the dear father and mother who, at great personal sacrifice, gave him an opportunity to secure an education, and all during the years he said that the greatest thought he had was of the untiring zeal and devotion of that father and mother who had foregone everything to give him his chance. And, let it be to his credit, he embraced it.

Another of his characteristics, to my mind, was his loyalty—loyalty to his friends, loyalty to his city and State, and loyalty to his country. But above all he loved his country—no one loved her better—no one could do more for the men who fought in its behalf than he. No one thrilled more at the gallant achievements numbered in her glorious history.

To those who were near and dear to him by the ties of blood I feel that I can speak with some degree of appreciation, being one who is acquainted with grief and not unknown to sorrow along this line. In life he proved that it is not life that matters but that courage that we bring into it.

With the departure of Representative O'MALLEY, New York has lost a beloved son, the Nation a splendid public servant, and ending a career filled with usefulness, sincerity, and integrity; a man among men. We are not eulogizing him to-day, but testifying to his worth, ability, and honored citizenship.

Mr. CELLER. Mr. Speaker, I knew intimately well our late colleague MATTHEW V. O'MALLEY for many years. I learned to have an abiding affection for him. Death found him a shining mark.

Although it was not his privilege to reach the floor of the House, since death claimed him before the opening of the first session after his election, nevertheless he had the attributes that make for kindness, wisdom, and willingness to serve. He would have made a Congressman of rare distinction.

He has now gone through the Valley of the Shadow to that undiscovered country from whose bourn no traveler returns. There he dwells in a windowless palace of sleep; he now has surcease from trial and pain.

He will, however, have died in vain unless we, the living, honor him by emulating his example of piety and goodness.

No words can beguile his loved ones from their overpowering grief; only time can bring solace to their tortured spirits and balm to their wounded hearts; but they should take comfort in the thought that he leaves behind a good name. Well might we reecho the sentiment of the psalmist, who said:

Better the fragrance of a good name than the perfume of precious oils.

Mr. CULLEN. Mr. Speaker, it is indeed difficult to place our thoughts into language that will properly express our feelings toward departed friends.

The individuals who stand out in prominence the world over are the ones whose honesty and simplicity first attract you and whose ability to perform their tasks afterwards impresses you. Words of praise can be used in the description of anybody who has ceased to exist, but truthful words describing a character that had to do with all of the different phases of human nature and came through without a scar are, indeed, the exception. This I can justly say of my departed friend MATT O'MALLEY.

MATT O'MALLEY was born in Brooklyn, N. Y., and attended the public and parochial schools of that borough. He was elected to the Seventy-second Congress and represented the seventh New York congressional district in the House of Representatives. The good Lord, in His infinite wisdom, decreed to take him unto Himself before he ever took his seat in the Congress. I deeply regret that he was not spared to take his seat, for, in my humble opinion, he would have been an outstanding figure in Congress.

MATT O'MALLEY was a lovable character. He was first a good citizen, a real Democrat, and a staunch and loyal party man, who, from his humble beginning, attained all of the honors during a period of years that his people could give him.

His home life was ideal. His business and political life was security itself, because he fairly breathed honesty, loyalty, and integrity of purpose. To his friends he was as pure gold. No one ever knew MATT O'MALLEY to shirk an obligation. He was quiet and unassuming, his disposition genial and sunny, his companionship delightful, and his efforts to serve untiring.

Of a deep religious nature, MATT O'MALLEY's private life was at once an example and an inspiration to all who enjoyed the privilege of his acquaintance and friendship. His home life was the gage by which the Nation's domestic bliss and faithfulness might be measured. His daily life was a sermon as powerful as any ever preached from a pulpit.

We treasure our recollection of him. We are sad because he was taken from us, but we fervently thank God for having given him to us.

I along with many other Members of Congress attended his funeral services at the Church of the Assumption, Brook-

lyn, N. Y., and I was profoundly impressed by the sincere evidence of genuine sorrow, love, and respect manifested by the vast throng who assembled there to honor him on that solemn occasion, representing as they did every phase and walk of life of the borough of Brooklyn in whose life he played such a useful and important part.

And ever near us, though unseen,
The dear immortal spirits tread,
For all the boundless universe is life;
There are no dead.

CHARLES ANTHONY MOONEY

Mr. SWEENEY. Mr. Speaker, on the eve of Memorial Day, 1931, CHARLES A. MOONEY, who represented the twentieth congressional district of Ohio in the Congress of the United States, passed to his eternal reward. As one who succeeded him, I consider it an honor and a privilege to have this opportunity to pay a tribute to his memory.

Enjoying his friendship for many years before and during his public career, I became impressed with the tolerance, candor, and sincerity of one who was to all who knew him the soul of honor. Born in St. Marys, Ohio, January 15, 1879, he was educated and grew to manhood in his native city. He came to the metropolis of Ohio in 1911. During the years 1915 to 1919 he served with credit and distinction in the Senate of the State of Ohio. He was first elected to the Sixty-sixth Congress of the United States, and subsequently reelected to the Sixty-eighth, Sixty-ninth, Seventieth, and Seventy-first Congresses.

Within the confines of the twentieth congressional district of Ohio there is certainly more tangible wealth than in any other district in the State. The palaces of the rich and the hovels of the poor abound therein in numbers. Practically every race on God's earth resides within its boundaries. It is a truly cosmopolitan district representing the various racial groups that comprise the composite American. CHARLES A. MOONEY knew his people and they knew him. His constituents, irrespective of political or religious belief, trusted him and came to love and respect him.

He was the friend of the poor immigrant and spent his strength incessantly in his behalf. He made especial effort to reunite the loved ones of sea-divided families, when that was possible by law or regulation. He was a strong believer in social justice for the poor and downtrodden. He had a sense of responsibility to his constituents and to the Nation as a whole. His every official act reflected conscientious effort and application to duty. He despised sham, pretense, and hypocrisy, and he never affected ostentation. Possessing a knowledge of the frailties of human nature, his ears were never attuned to the tongues of gossip or slander. He was never known to utter an unkind word of his fellow men. The congressional committee who attended his funeral will ever remember the crowd within and around St. John's Cathedral, Cleveland, Ohio, who came to register their respect and sorrow for their Congressman and friend.

CHARLES A. MOONEY possessed a virtue much too rare in these days of selfishness and materialism, a virtue which is beautifully epitomized by a poet of his race, the immortal John Boyle O'Reilly, in his poem called—

WHAT IS GOOD?

What is the real good?
I asked in musing mood.

Order, said the law court;
Knowledge, said the school;
Truth, said the wise man;
Pleasure, said the fool;
Love, said the maiden;
Beauty, said the page;
Freedom, said the dreamer;
Home, said the sage;
Fame, said the soldier;
Equity, the seer.
Spake my heart full sadly,
"The answer is not here."

Then within my bosom
Softly this I heard:
"Each heart holds the secret;
Kindness is the word."

His kindness and tolerance endeared him to his colleagues in Congress and to all those who came in contact with him. "Kind in word and deed" sums up the character of this distinguished son of the Buckeye State.

His was an ideal family life. He lived for and worshiped his good wife and splendid children. He was a true husband, father, and companion. There is a void in that loving family circle that can not be filled, but he has left them a garland of memories that will never fade and which will furnish the consolation necessary to lessen their grief with the passing of time.

May his soul and the souls of the faithful departed through the mercy of God rest in peace.

Mr. BOLTON. Mr. Speaker, the ceremonies to-day, impressive in their simplicity and sincerity, are for the purpose of paying tribute to our departed colleagues. The all too long list, which has been read, states briefly and concisely the service which each of them has given to his country. It is impressive in its variety. It is a story of devotion to public service and a record of achievement, a fitting tribute to the public careers of our comrades.

Among those names stands that of CHARLES A. MOONEY, whose record of many years of public service, both in his State and in the Halls of Congress, evidences the appreciation in which he was held. He, like others, had a record of achievement and advancement in Congress, illustrating the cooperation and respect of his colleagues. And he, like others, has a record of a host of friends, both in public and private life, which, best of all, indicates the affection his nature inspired and the underlying sterling principles which made his life what it was.

Others will speak of the intimate details of the life of CHARLES MOONEY, his birth, his education, the responsibilities which came to him during his advancement in life, and matters pertaining to his private and political career. My words are offered as a brief but sincere tribute to a friendship which grew and ripened during our comparatively short service together in Washington.

Although members of opposite political parties, my regard for him began in Cleveland, where he represented the twentieth Ohio district so understandingly that he carried the good will of a large majority of Republican and Democratic constituents alike. During my first days in Congress his fine understanding of service to his community was peculiarly evident in his readiness to cooperate in all matters relating to our great city of Cleveland, and my appreciation of his sympathetic helpfulness rapidly grew into a friendship I shall always treasure.

Although separated from me by the center aisle, his suggestions and counsel on legislation affecting the welfare and activities of the citizens of his city and State indicated his keen interest in and understanding of the welfare of his fellows. As a fellow member of the Rivers and Harbors Committee his advice and untiring efforts on projects affecting the interests of Cleveland gave ample proof of his belief and sincerity in that field of Government activities. In fact, he was one of those most jealous of the interests of the Great Lakes on that committee and gave most freely of his time in their behalf.

In the affairs of his district he displayed that same ability, was conscientious in the discharge of his public duty, and true to his convictions, enjoying the confidence and respect of both sides of the House.

In his family and religious life he showed those same qualities of devotion and faithfulness of purpose which governed his daily actions.

It was my privilege to be present at the impressive services held in the great Catholic Cathedral in Cleveland, where the host of men and women present expressed their love and sorrow for their departed friend. The bishop of the diocese, speaking of our colleague's life, showed full well his understanding of the man and the need of him and his kind in

these times when he finished his stirring and beautiful eulogy with the familiar and inspiring words of J. G. Holland:

God give us men. The time demands
Strong minds, great hearts, true faith, and ruling hands;
Men whom the lust of office does not kill;
Men whom the spoils of office can not buy;
Men who possess opinions and a will;
Men who have honor; men who will not die;
Men who can stand before a demagogue
And damn his treacherous flatteries without winking;
Tall men, sun crowned, who live above the fog,
In public duty and in private thinking!
For while the rabble with their thumb-worn creeds,
Their large professions and their little deeds
Mingle in selfish strife; Lo! freedom weeps!
Wrong rules the land, and waiting justice sleeps!

There is little I can add to the words of tribute expressed by others. My appreciation of CHARLEY MOONEY's ability, his genial, buoyant nature, his love of his fellows, and his understanding of their problems is probably only what all have sensed. In his passing we have lost a tried and lovable companion, Cleveland a valued and trusted citizen, and many of us a real friend. And yet, in the knowledge of that loss is there not a feeling of deep gratitude and appreciation that we have been privileged to have known such a man?

Mr. CROSSER. Mr. Speaker, the late Congressman CHARLES A. MOONEY was not only my colleague but it was my good fortune that we were intimate friends. Mr. MOONEY was one of those whose friends were legion. He often said to me that he liked "people," and I know that he had almost a passion for friendship.

Anyone who was fortunate enough to know Mr. MOONEY intimately recognized the fact that he was a man of honor. I served with him in Congress eight years, and I know how scrupulous he was at all times to avoid even the appearance of anything dishonorable in his official conduct.

He was always delighting in rendering service to individual constituents, and even to those who were not his constituents.

He had a great desire to see a higher degree of justice established in the world than now prevails, and you could always count on Mr. MOONEY's support of measures which he believed looked to that end.

In his official work Mr. MOONEY recognized the fact that nowadays the effective work is done in the committee room, and, accordingly, he was not disposed to speak often or at length on the floor of the House. He could always be counted upon, however, to do most effective work in his committee. There he presented his views forcefully and yet in a most tactful way, thereby assuring the greatest possible benefits to those whom it was his privilege to represent.

In brief, Mr. MOONEY was faithful to his duties and a devoted friend, and he was not a mere "fair-weather" friend. Often I have heard some friend of his severely criticized and even condemned by everyone else in the company of which Mr. MOONEY happened for the moment to be a party, and almost invariably I have heard him promptly defend and justify the friend in question.

During the last year of his life I had occasion to quote to Mr. MOONEY a few lines of poetry written by Ernest Crosby. He said that it was his favorite quotation and represented his highest conception of a worthy life. Because the lines seemed to express his idea of true manhood, I here quote them, as follows:

LIFE AND DEATH

So he died for his faith. That is fine—
More than most of us do.
But stay, can you add to that line
That he lived for it, too?
In his death he bore witness at last
As a martyr to truth.
Did his life do the same in the past,
From the days of his youth?
It is easy to die. Men have died
For a wish or a whim—
From bravado or passion or pride.
Was it harder for him?

But to live: every day to live out
All the truth that he dreamt,
While his friends met his conduct with doubt
And the world with contempt.

Was it thus that he plodded ahead,
Never turning aside?
Then we'll talk of the life that he led—
Never mind how he died.

GEORGE S. GRAHAM

Mr. DARROW. Mr. Speaker, the death of Hon. GEORGE S. GRAHAM on July 4, 1931, marked the passing of another distinguished son of Pennsylvania, a noted statesman, a prominent lawyer, and a faithful public servant.

For more than 50 years GEORGE GRAHAM had taken an active part in civic affairs of the city of Philadelphia, where he was honored and respected by everyone.

At the age of 27 he was elected a member of our select council, and thereafter for 18 years, from 1880 to 1898, he served as district attorney of Philadelphia. It was in this capacity that he first achieved fame, and he will always rank as the most outstanding and talented of our prosecuting attorneys. After serving as professor of criminal law and procedure in the law school of the University of Pennsylvania for 11 years, he was again called to the public service by election to Congress.

He came to the Sixty-third Congress with a rich experience, an unusual training, and fully conversant with the needs of the Nation, and soon developed into one of the most dependable, energetic, and useful Members of the House. His great wealth of information, his profound knowledge of legal principles, his strong and logical intellect and superb powers for the presentation of his views gave him unusual advantage in the discussion and consideration of problems of national import. He had pronounced views upon all great public questions, and always had the courage to express them. He was a forceful speaker and ready debater, but fearless, honest, and straightforward.

My acquaintance with Mr. GRAHAM was formed years before he or I gave thought to the opportunity of serving in Congress. I have always held him in the highest esteem and admired him for his unusual legal talents, his exceptional ability, and sound judgment, as well as his sincere and determined advocacy of the principles of the Republican Party. I am happy to have had the privilege and opportunity of serving in Congress with him. We labored in perfect harmony, and our associations were most pleasant. He was a most kindly and courteous gentleman.

Mr. SUMNERS of Texas. Mr. Speaker, I present the following resolution adopted by the Committee on the Judiciary:

The Committee on the Judiciary of the House of Representatives has heard with profound sorrow of the death of its distinguished chairman and beloved colleague, GEORGE SCOTT GRAHAM, of Pennsylvania, on July 4, 1931.

GEORGE SCOTT GRAHAM served as a member of the Committee on the Judiciary of the House of Representatives from the Sixty-third Congress to the Sixty-seventh Congress, and as chairman of the committee from the Sixty-eighth Congress until the end of the Seventy-first Congress.

The members of the Committee on the Judiciary of the House of Representatives desire to express their great sense of personal loss in the death of GEORGE SCOTT GRAHAM, whose passing removed from their councils and the council chambers of the Nation a wise, learned, and patriotic statesman and leader.

GEORGE SCOTT GRAHAM's services as a member of the Committee on the Judiciary of the House of Representatives and as its chairman were marked by his devotion to the Constitution of the United States as adopted by our forefathers, of which he was always a ready and able defender, his loyalty to the courts of the United States and the preservation of their powers and integrity, his interest and sympathy with progressive workmen's compensation legislation and with legislation providing for enlightened treatment and care of Federal prisoners. As chairman of the committee, he gave unstintingly of his time and, in a manner in keeping with the training and experience which he had gained from a long, distinguished career at the bar, thoroughly prepared himself as to every detail of legislation which received the attention of the committee. He presided over the committee with fairness and conducted its proceedings with becoming dignity. Participating in the committee's deliberations, he was ever a tactful, gracious, and enlightened counselor and arbiter. His loyalty and affections for

the committee were manifested by his desire to secure unanimity of action upon the measures reported to the House, and in this respect his modesty in expressing his own views and gentlemanly consideration of the views of those of his colleagues who might differ with him brought him a high degree of success.

Be it therefore resolved, That the members of the Committee on the Judiciary of the House of Representatives do hereby express their profound sorrow and sense of deep personal loss in the death of their former colleague and chairman, GEORGE SCOTT GRAHAM, and that a copy of this resolution be spread upon the minutes of this committee and a copy be sent to the members of the family of the deceased.

Adopted February 23, 1932.

Attest:

JOHN W. GIRVIN, Clerk.

CHARLES GORDON EDWARDS

Mr. PARKER. Mr. Speaker, as we turn aside to-day from our usual and customary duties to pay tribute to our departed comrades, I feel greatly depressed when I think of the magnitude of the loss that has come to the people whom I have the honor to represent in this body in the passing of my distinguished predecessor the lamented and beloved CHARLES GORDON EDWARDS, who so ably represented the first congressional district of Georgia in the House of Representatives for more than 16 years.

I knew Mr. EDWARDS for more than a quarter of a century, and, like all others who knew him, I looked upon him as a friend. He was born in Tattnall County, while I was born across the river in Appling. His devoted wife, who before her marriage was Miss Ora Beach, also first saw the light of day in Appling County. Her parents and my parents were friends early in life. My mother lived in the Beach home about the time of the birth of Mrs. Edwards. My father met my mother and became engaged to her while she was living in the Beach home. Friendships sprang up between the families that grew with time and that can never be obliterated.

CHARLEY EDWARDS was given every opportunity that his substantial parents could provide for him. He was encouraged to take advantage of the opportunities afforded him at home, and after he had finished high school he attended Gordon Institute at Barnesville, Ga. Later he attended the Florida State College and finally graduated from the law department of the University of Georgia. He first practiced law in Reidsville, the county seat of the county of his birth. After practicing law for a few years he moved his office to Savannah, Ga., believing that the opportunities that would present themselves to him in the larger city would be greater in number.

He was first elected to Congress in 1906. Hon. J. A. Brannen, of Statesboro, and Hon. Walter W. Sheppard, of Savannah, had been the candidates for the Democratic nomination in the primary held that year, the result of which was a deadlocked convention. Each of the candidates had 18 of the 36 county unit votes, but neither could secure the nomination. Finally, after the convention had been in session for approximately 60 days and had balloted more than 800 times, Mr. EDWARDS was nominated as the representative of the convention, and he continued to serve the people of the first district as their Representative in Congress for five successive Congresses. After having served his people in this capacity for 10 years, he voluntarily retired from public life. In 1924 he again became a candidate for the office and was elected. He was reelected in 1926, in 1928, and in 1930. He was never defeated for the office.

Mr. EDWARDS was a tireless worker. No constituency was ever better represented than were the people of the first congressional district of Georgia during the time that they were represented by him. He has often been referred to by his people as "the man of effort." In his efforts he was usually successful. He accomplished a great many things for the people of his district. His experience, gained by the time that he spent in Washington and his friendly contacts with other Members of Congress, made it possible for him to do many things for Georgia and Georgians that an inexperienced man could not have accomplished. Almost everyone who knew Mr. EDWARDS as the Representative of Georgia's first district in Congress knew about the magnificent work that he did while a member of the Rivers and Harbors

Committee of this body. There was a time when he had seen more service on this committee than any other Democratic Member of the House, and he was therefore at that time the ranking Democratic member of this great and important committee. Georgia was always able to receive the consideration due her from the Rivers and Harbors Committee, mainly on account of the prestige and influence he had with his associates on this committee.

There is a feature of CHARLEY EDWARDS's service that few people know anything about. When he returned to Congress for his second long tour of duty in 1925, Mr. EDWARDS became a member of the Foreign Affairs Committee of the House. He soon learned that a great deal of favoritism was being shown in the Foreign Service to the wealthy, the influential, and those who could demand the assistance of skilled politicians. He set himself to work to correct this deplorable situation. Always the champion of the masses and the common people, who have few representatives who will interest themselves in them, he worked as faithfully in his efforts to reorganize and improve the Foreign Service of the United States as he did in his other work for the people of his district. He was instrumental in having carried into effect the provisions of the Rogers bill, an act that reorganized and improved conditions in the Foreign Service. If Mr. EDWARDS had rendered no service to his country other than that for which he is given credit as a member of the Foreign Affairs Committee of this House of Representatives, his public service would not have been in vain.

In evaluating the patriotic service that CHARLEY EDWARDS rendered to his country, there is one record of his achievements that is not to be found on the statute books of the Nation, nor is it contained in the CONGRESSIONAL RECORD, and the archives of the country do not disclose its existence. The enduring record of the fidelity and devotion to duty of CHARLES GORDON EDWARDS is to be found engraved in the hearts of the constituents whom he so faithfully and efficiently served. Many measures are enacted into law, accomplish their purpose, and pass into the realm of things that are forgotten, but the memory of CHARLES GORDON EDWARDS will not be so ephemeral. In the hearts of the citizens of the first district of Georgia, where he was born and reared and where he served for such a long period of time, is to be found a monument to my predecessor in office that will outlive any physical monument that might be erected to the memory of the departed great.

In village, town, and hamlet, and along the far-flung farms of the countryside are to be found rich and poor, old and young, humble and distinguished who recognized in CHARLES G. EDWARDS a faithful friend. It is only on the rarest of occasions that a constituency is so fortunate in having a Representative so devoted to their interests and to his duty as was this late-lamented comrade. His friendship for his constituents was not confined to his campaigns nor to the effort to secure advancement for himself. CHARLEY EDWARDS was a public servant whose interest in his constituents transcended any official capacity and extended to their personal well-being. Such devotion to constituents and friends could not escape reward, and the many times that Mr. EDWARDS was returned to serve in this distinguished body is mute evidence of the esteem in which his people held him. Many of you who were his colleagues here know of his efficient efforts in the House. Many of you are familiar with the conscientious manner in which he attended to the affairs of the Nation, his State, and his district; but only those who are familiar with his constituency and with the efforts and ambitions of the people whom he served can fully appreciate the sincere and faithful manner in which he brought to fulfillment his dynamic ideal of service to the common people.

It is an understatement to say that CHARLES GORDON EDWARDS was a faithful public servant, for the scope of his activity far exceeded the bounds of efficient official duty, no matter how broadly they may be interpreted. Only a man in whose heart blossomed the flower of human sympathy and understanding could render a stewardship so gratifying to the people whom he represented and loved. This patriot, who only a few months since passed on to his glorious reward,

was more than a Congressman, more than a public official, and more than a statesman. In deed and in truth, this man was a friend to man. No doubt he approached as nearly as does any other one individual of his time the ideal of the teachings of the Master when He said, "But I say unto you, love your enemies, bless them that curse you, do good to them that hate you, and pray for them which spitefully use you and persecute you; that ye may be the children of your Father which is in heaven." In reality CHARLEY EDWARDS was a child of God.

There are times when we are brought to realize the futility of words in expressing an emotion that transcends the common things of life and places humanity on a higher plane than that on which most mortals move. This is especially true as I attempt at this time to evaluate the services that CHARLEY EDWARDS rendered to the people of the first congressional district of Georgia. Words can but poorly express the feelings that his friends have in looking back upon his career. The record of the jewels of thought that he contributed to the counsels of the Nation are to be found in the archives and a monument will mark the last resting place of his mortal body, but it is in the hearts of his people that the memory of CHARLEY EDWARDS lives on and on and in this most sacred manner that his memory will go forward on down through the centuries. To paraphrase:

He shot an arrow into the air,
It fell to earth, he knew not where;
He breathed a song into the air,
It fell to earth, he knew not where;
Long afterward, in an oak,
He found the arrow still unbroke
And the song, from beginning to end,
He found again in the heart of a friend.

Mr. LARSEN. Mr. Speaker, I knew CHARLEY EDWARDS all his life and I loved him. We were both born in old Tattnall, now Evans County, Ga., just a few years apart. He was a member of a very substantial family and grew up in an atmosphere of character and refinement. He attended Gordon Institute, at Barnesville; Florida State College; and was graduated from the law department of the University of Georgia. His first location for the practice of law was at Reidsville, but he soon moved to Savannah, and when a very young man entered the field of politics. His political career can accurately be termed a stormy one, but he was unusually successful despite many obstacles. He was elected to the Sixtieth and the four succeeding Congresses, and voluntarily retired to resume the practice of law. He was again elected to the Sixty-ninth Congress and served continuously until his sudden death in July, 1931.

Charley was genial, affable, and cordial in manner. He had the faculty of making friends and holding them. This faculty took a wide range among all classes of people. I doubt if any man ever possessed this faculty to a greater degree than did CHARLEY EDWARDS. I never saw him depressed and I never heard him utter a single expression of despair. He thought well of his fellow Members. He was passionately devoted to his country. He cherished a divine hope of the future. No utterance of his on this floor could be classed as demagogic. He spoke his convictions and he voted them. He was no opportunist, no timeserver. He was a man of courage, of conviction, tender-hearted, and a true friend. He was a fond and devoted husband, and his love for his only son, Charles Beach, was one among the many beautiful characteristics of his life. If ever there was a true, loyal, and honest soul, it was in the bosom of CHARLEY EDWARDS. I miss him, but I seek some consolation in the following verses from the Psalm of Life:

Tell me not in mournful numbers
Life is but an empty dream,
For the soul is dead that slumbers,
And things are not what they seem.
Life is real, life is earnest,
And the grave is not its goal:
"Dust thou art, to dust returnest"
Was not spoken of the soul.

Charley still lives in memory of his many friends, in the hearts of his countrymen, and I am sure in restful peace in the world beyond.

Mr. RAMSPECK. Mr. Speaker, the death of my friend and former colleague CHARLES G. EDWARDS occurred from a heart ailment last July while he was seated in my office in Atlanta, engaged in conversation with myself and our colleague Mr. WRIGHT. The manner of his passing and its suddenness were, of course, a great shock.

It is always a sad experience to lose a dear friend. To have his death occur suddenly and in your presence is most distressing. To see the life of a beloved associate ebbing away while you are helpless to stop it is an experience that I will never forget.

It was my good fortune to know CHARLES G. EDWARDS for many years. When I came to Washington as a clerk in 1911, he was a Member of the House. While I was an employee of the House, he was kind to me and always friendly. That was his natural disposition.

When I returned to Washington in 1929 to become his colleague, he befriended me in every way possible. He was always ready to advise and help me with any problem. He was of great assistance to me in becoming familiar with my new duties, and often gave me counsel that was of great value.

Mr. EDWARDS was a true friend, a loyal and conscientious worker for the general welfare of our great Nation, and a tireless servant of his constituents. He was a devoted father and husband, a man who was devoted to his friends, and whose friends were countless. True to his convictions, he was, nevertheless, considerate and tolerant of others who might differ with him.

In his death Congress lost a valued Member, the Nation and his district lost a servant who always was true to the public trust, and I have sustained the loss of a true and beloved friend. My heart is filled with sympathy for the loved ones he left behind.

Mr. McKEOWN. Mr. Speaker, when I came to the Sixty-fifth Congress CHARLEY EDWARDS was retiring voluntarily after a successful career in the House. He won my admiration during the few days I was acquainted with him before leaving, and this contact ripened into a real friendship upon his return to the House as a Representative from his great State of Georgia.

Congressman EDWARDS was a wide-awake and useful Member of this body and served his State with honor and distinction. He had that rare virtue of loyalty to friendship. When he was your friend, it was for all times and not just for the occasion. He set a fine example for his splendid son, for whom he had an indescribable affection.

He was an indulgent husband and was never happier than when in the company of his faithful companion.

Nothing can take away the pang that we feel in separating from those we love. The more intense our love the more trying the final separation. But a life well spent and love in life requited is a balm for the broken heart.

Those whom the death of our friend touched most closely will not cease to lament their loss; but to recount his virtues will ever be a compensating pleasure. They gave to death what was mortal; they have with them the essence of his being, that which is immortal.

Hon. CHARLES G. EDWARDS was a gentleman of the highest type and his going was a great loss to his State and Nation.

Mr. TARVER. Mr. Speaker, the ability, character, and faithfulness which made CHARLEY EDWARDS impregnable in politics among the people of his district deeply endeared him to all others who knew him well and who had opportunity to appraise the qualities of the man.

As a member of the great Committee on Rivers and Harbors, he did effective work not only for Georgia but for the entire South. Nor was he sectional in his endeavors. Throughout his long period of service in the House of Representatives, he demonstrated the fact that he regarded himself as a representative of all the people of the Nation. He had a mind national in caliber, capable of visualizing and properly appraising great national problems. I shall never forget an occasion on the floor of the House when a Representative from one of the Eastern States made some remark intended as a reflection upon Georgia. Mr. EDWARDS immediately

arose and, securing recognition from the Chair, not only defended Georgia from the unjust attack but scathingly indicted all efforts to inject sectional differences and prejudices into discussions affecting the decision of national questions. That expression was representative of his entire career, which was one of faithful service not to a State or section only, but to an entire people.

The members of the Georgia delegation found in him a tower of strength in every worthy endeavor. He apparently got more pleasure out of aiding a colleague than out of accomplishing something for himself. Those of us who came to Congress during his incumbency will never forget the many kindnesses that he showered upon us.

His sudden death in July of last year was a tremendous shock not only to all of Georgia but to all of official Washington, who knew, loved, and respected him. He passed as he would have wished, not after long and distressing illness, but quietly and quickly.

Like one who wraps the drapery of his couch
About him, lies down to pleasant dreams.

Mr. CRISP. Mr. Speaker, in the city of Atlanta, Ga., on the 13th day of July, 1931, our beloved CHARLEY EDWARDS was called from his hosts of earthly friends to another and better world. There never lived a sweeter, friendlier man, nor one who loved his God and his fellow men more than he, and there is no question but that he is at rest in his heavenly home. His life and character are worthy of emulation.

Congressman EDWARDS's father was a soldier under Gen. Joseph Wheeler in the War between the States, and his youth was nourished with fine traditions and highly cultured environment. Nevertheless, he was a real boy, slow to wrath and loving peace, but sometimes kindling to a righteous indignation. He dearly loved the woods and wild life. He also played the violin in his youth, and frequently while in Congress he would go out into his district and play the "fiddle," as he called it, for his country-folk dances. He wanted to always save and perpetuate the institutions and customs which the American people had acquired and approved in long centuries of conscientious and intelligent experiment. He was always in demand as a teacher in the various Bible classes in his district, as he was known as a profound Bible student. The last time he addressed a gathering of church people was in the Bull Street Baptist Church on Mother's Day, 1931. The 2,000 people who crowded the auditorium to hear him testified that it was a beautiful tribute he paid, in his eloquent way, to mothers.

It was characteristic of him that he was always in a good humor, and from the lips of his secretary for 21 years I learn that he never once in all that time came down to his office "with a frown on." He was always considerate of his employee, treating him more like a member of the family than as a paid employee.

When he came to Congress at the early age of 28, he was always early at his office; and one day, while his secretary was out, the Congressman was pegging away at one of the typewriters—and he had good speed thereon when you consider he used only three fingers—when an elderly Congressman passed by his office and stopped and told him if he ever wanted to leave his Congressman, he could find a place for him in his office. Mr. EDWARDS appreciated this very, very much.

We are told that all pain, sickness, weariness, distress, and agony of body are to be treated reverently. Every sorrow is a billow in the world's troublous sea, which we must pass over on the cross to bear us nearer home. The cloud forms, drops its rain, and passes away for the sun to shine and the flower to bloom. The storm gathers, purifies the air, and passes away for the fragrant and healthful calm to settle like a benediction on the land. Affliction comes and passes away for peace, joy, and glory to appear. When one passes under the shadow of the Cross of Calvary he knows that through this shadow lies the passage to the great white throne.

CHARLEY EDWARDS was a loyal man. He was loyal to his family, and a beautiful affection bound that small but

sacred circle. He was loyal to duty. He was loyal to his State. He was proud of the honor that had been conferred upon him. He did all that he could to measure up to his responsibilities and he measured well. He was of gentle spirit, tender in heart. One of his greatest joys was in being of service to his fellow man. His deeds of kindness and his lovely character and personality caused a bond to be woven between him and his constituency that was never broken.

His campaign speeches were based on truth, candor, and absence of self-laudation, and a sincere interest in the public welfare was manifest in every utterance of his plain, honest speech. He was free of demagoguery. He would never deceive or mislead anyone for any cause or end. The first district of Georgia realized that he was a devoted and most valued servant in the Congress, for he "came out from among them," knew their needs, felt their impulses, shared their difficulties, bore with them their burdens, and rejoiced with them in their successes. In their churches and schools he was their faithful helper.

In his death a splendid, useful, noble life came to a lamented end. As the forest puts on its brightest robe to die in, so does such a life robe itself in its tints of eternal beauty as its last hour approaches. When we think of CHARLEY EDWARDS, we recall the saying of the sweet Bard of AVON:

His life was gentle, and the elements so mix'd in him
That nature might stand up, and say to all the world,
This was a man

Because of their great beauty and eminent fitness, I am incorporating herein the remarks delivered upon the occasion of Congressman EDWARDS's funeral by Rev. John S. Wilder, pastor of the First Baptist Church of Savannah, Ga., than whom no more able or more beloved Christian leader ever lived:

[Savannah Evening Press of July 15, 1931]

The greatness of Congressman CHARLES GORDON EDWARDS is found in the simplicity of his life. From the farm to the Congressional Halls he was ever the same. No position of prosperity ever changed his disposition toward his duty or his constituency.

Another characteristic of his life was his approachableness. No man so poor or so rich that he was denied an audience. No matter was too small or too great that did not have his undivided and patient attention.

He lived a sacrificial life. His unbounded loyalty to duty, his constant and untiring efforts for his people sent him to an early and untimely death. He gave his life for others, never considering himself in the great task of the upbuilding and betterment of his people and the community which he so ably represented for a quarter of a century, most of this time as our honored and beloved Congressman of the first district of Georgia.

Savannah, Chatham County, the first district, and the State of Georgia have sustained a loss which will not be easy to replace. No man of modern times has worked harder or fought longer or given more of his time, talent, and strength for the development of our community than he.

He was a real politician. He set an example in politics which may well be emulated by those who may engage in future governmental affairs. He was clean and upright, wise and judicious in all of his elections. He was fair and honest with his opponents. His life was devoid of the usual invectives and mud slinging. Ever and anon he fought vigorously, but always upon a high plane; issues and not men were his forte. He was a man of unquestionable integrity and lived, as he died, with a clear conscience.

He was a Christian gentleman. Although busy daily with the arduous duties of his high office, he found time to attend his church and worship God. During my intimacy with him in the last years of his life, I discovered in him that keen sense of nobility which characterizes the children of God.

He was a real man. The world loves a real man, and Congressman EDWARDS won that love and retained it to his death day.

No man can retain the love and confidence of a community over a period of half his life without having the qualities of a real man existing in him.

His interest in young men remains unquestioned. He fathered many young men, assisting them with his means and advice, and those young men live to bear testimony to his golden character.

He was a real, genuine friend. In the innermost recesses of his soul there was hidden a spring of true friendship, which flowed generously into the hearts of his fellow men. His heart was filled with the confidence of those who approached him. This characteristic is manifested by his constant reference to that beautiful poem of Sam Walter Foss, *The House by the Side of the Road*.

He was a devoted husband and father. His private and home life was one of joy and supreme happiness. His mind and heart were ever centered upon those who were near and dear to him by ties of kinship.

We shall miss him; but, thank God, our loss is his gain. He has gone home to receive his eternal reward, and God grant that

on that great and eternal day we shall all meet him again beyond the silent river in that city where death and separation will be known no more.

CHARLES GORDON EDWARDS will never die; he will live on in the impulses of the unborn generations and, his name having been registered with the blessed of the earth, will never perish. God says, "The memory of the just is blessed; but the name of the wicked shall rot."

Mr. HARE. Mr. Speaker, I had heard and known of the conspicuous services of the Hon. CHARLES G. EDWARDS, of Georgia, long before I was elected to the United States House of Representatives in 1924. After coming here we represented adjoining districts on the Savannah River, and, therefore, had many problems of local interest in common. He was my senior in legislative experience by 10 or 12 years, and I was greatly pleased when I found him taking a keen personal interest in the problems of my district. I soon learned to call upon him for suggestions and advice, for it was one of the outstanding characteristics of his life to be of service to his friends. He made special efforts to assist whenever possible, and I was not long in learning to appreciate his interest and to recognize the value of his judgment in legislative matters.

It was his good fortune in early life to learn that success in any vocation is contingent upon hard work and conscientious discharge of duty. He acquired the habit of both in his youth, and they proved to be great factors in making him an unusually successful Member of Congress. He was not content to be a follower in legislative matters. He was constructive in his ideas and was always found taking the initiative in legislation he thought to be for the betterment of the people he represented and the country at large. There was no interest in his district that did not receive the full measure of his consideration and efforts.

While he lived in the largest city of his district and was very active in promoting the river and harbor activities of his home city—Savannah, Ga.—he never lost sight of the environment of his youth and the problems of his rural constituency. As a matter of fact, if there were any difference in the degree of consideration shown to the problems of the commercial and agricultural activities of his district, I think he would have preferred to emphasize the problems of rural life. For many years he labored both in season and out of season to secure the construction of a bridge across the Savannah River to afford greater opportunities to the people in Effingham, Screven, and adjoining counties in Georgia and those living across the river in Allendale, Barnwell, Bamberg, and adjoining counties in South Carolina.

It was through his untiring and energetic efforts that we finally succeeded in securing the passage of a bill through Congress giving the States of Georgia and South Carolina the right to construct such a bridge. He had given considerable attention to this project before I was elected to Congress and took the initiative afterwards, but upon the passage of the act referred to he was so generous and unselfish that in his public utterances he never claimed credit for more than having assisted in the matter. In reality, he should be credited with having originated the idea and contributed more toward its success than any other one person. I refer to this to illustrate an outstanding, unselfish characteristic in his life, a virtue not often found among men in public life, for they usually claim credit for all they do.

He attained one of his greatest political aspirations when he became a member of the Rivers and Harbors Committee in the last Congress; and there is no doubt, if he had been spared, that his ability and leadership would have been abundantly recognized as opportunities arose in this new field of legislative experience.

Mr. LANKFORD of Georgia. Mr. Speaker, the true representative in Congress is he who thinks the thoughts of his people, is in thorough sympathy with their every need, lives their very lives, is the embodiment of all that is highest and best in them, and loves them with a devotion that makes a benediction of the hardest labor in their behalf. Measured by this standard, Congressman EDWARDS was truly

a representative of the people who gladly honored him so often and so greatly.

He was acquainted with, understood fully, and was in deepest sympathy with the whole range of human passion and endeavor from the heartaches of the poorest and humblest to the greatest and most exalted. It was not necessary for him to make inquiry of his people in order to vote or act for their best interest. Being of them, his every impulse was for their interest, and yet he "listened alike to the stars and birds, to babes and sages, with open heart." He always looked for the best in others and gave them the best he had. He lived much because he loved much. He loved the beautiful in nature and art; he loved birds, trees, flowers. He loved his fellows. He lived the best of all lives, a life of love and of service—the service that has the diviner attributes of forgetfulness of self and service to others.

Mr. EDWARDS was a most valuable Member of the House. He not only served well his district but rendered most splendid service to the whole Nation. For many years I recognized this to the fullest extent, and during an address on the 8th day of May, 1930, on the floor of the House I said:

While giving credit to those who helped in the passage of the recent river and harbor bill, and thus rendered such splendid service to Georgia, the entire Atlantic seaboard, and the Nation, I again and again recall the faithful, thoughtful, and efficient service of my good friend and colleague from Georgia [Mr. EDWARDS]. I know many of my items, as well as many items from New York to Key West, would not have been included in the bill except for his untiring, faithful service; and not only Georgia but the entire Nation is to be congratulated upon the decision of Mr. EDWARDS to again go upon the Rivers and Harbors Committee and take up anew his splendid work where he served so efficiently and helpfully several years ago.

After Mr. EDWARDS's death I succeeded him on the House Committee on Rivers and Harbors, and realize more fully than ever the great service he rendered on this vitally important committee. In every particular he measured up to the highest standard of a noble man and a true representative of a most splendid people.

It is so sad for a man so well equipped and so true to the highest and noblest ideals of his people to die so young, when his splendid training and innate honesty are so much needed in the solution of the mighty problems of the present.

It seemed that his work was just begun. There was so much more he wanted to do. He had so many noble plans when he was called.

The plans, details, and specifications were on the trestle board, the working tools were on every hand and ready, the machinery was being installed as the master builder was called to a higher and better, everlasting service and mission. And yet, Mr. Speaker, none of the splendid service of CHARLES GORDON EDWARDS is lost. God gathers up and saves for all humanity through all eternity the golden grains of such greatness and nobleness.

Mr. EDWARDS's last words on the floor of the House of Representatives show his love of his fellow man, his great Christian faith, and were truly prophetic.

On the 4th of March, 1931, the last day of the Seventy-first Congress, just before adjournment, he made his last speech in the House of Representatives, a most splendid tribute to Hon. Thomas M. Bell, who was retiring at the end of that session. In concluding that address, Mr. EDWARDS said:

This hour brings sad thoughts. Many of us will never gather here again. To you all, in concluding, let me say, God be with you until we meet again.

The Christian life of Mr. EDWARDS was such that if he could have seen all his friends just before the end and had known he was to go so soon, he would have said:

Say not "Good night," but in some brighter clime
Bid me "Good morning."

He had every reason to gloriously sing:

For tho' from out our bourne of Time and Place
The flood may bear me far,
I hope to see my Pilot face to face
When I have crost the bar.

May the last words and prayer of our friend on this floor be answered. May we all join in his prayer and in the prayer of the poet—

Twilight and evening bell,
And after that the dark!
And may there be no sadness of farewell
When I embark.

Mr. Speaker, the Hon. CHARLES GORDON EDWARDS wrote his own eulogy on the everlasting pages of history and on the noble hearts of his countrymen. The highest tribute we can offer is worth more to us than to him. His life was an inspiration and his memory is a benediction.

Mr. Speaker, during the first 12 years of my service here only two of my colleagues passed into the Great Beyond.

First I went to Georgia with all that was mortal of the late Senator Thomas E. Watson, of Georgia, and saw him returned to mother earth at Thomson, Ga. Several years later I left in Washington in apparently good health my good friend Hon. Leslie J. Steele, of the fifth Georgia district, only a few days later to be notified of his passing and to attend his funeral at Decatur, Ga., where I saw him for the last time until the great awakening.

Now during the last 12 months I have been notified of the death and attended the funeral of three of my beloved colleagues, first Hon. CHARLES GORDON EDWARDS, of the first congressional district, who was buried in Savannah; next Hon. Samuel Rutherford, who was buried in Forsyth; and last Senator William J. Harris, who was buried recently in Cedartown.

When sorrows come, they come not single spies, but in battalions.

Three nobler, truer friends of mankind never lived. Their work is imperishable. It will last as long as yonder sun shall shine.

Mr. WRIGHT. Mr. Speaker, CHARLES GORDON EDWARDS was born July 16, 1878, at Daisy, Evans County, Ga.; was reared on a farm; educated in the public schools, Gordon Institute at Barnesville, Ga.; later attended Florida State College, now University of Florida, and graduated from the University of Georgia with the degree of LL. B.

Immediately after his graduation he began the practice of law in Reidsville, Ga., where he continued to practice until December, 1900, when he located at Savannah, Ga. He was elected to the Sixtieth, Sixty-first, Sixty-second, Sixty-third, and Sixty-fourth Congresses from the first district of Georgia, and voluntarily retired March 4, 1917, when he again entered the practice of law at Savannah, Ga. In November, 1924, he was again elected to Congress from the first Georgia district, and was elected each succeeding term thereafter.

On July 13, 1931, while in conference with Congressman RAMSPECK and me in the office of Mr. RAMSPECK in the city of Atlanta, Ga., Mr. EDWARDS was suddenly stricken and passed away peacefully in my arms.

From the time he entered Congress, March 4, 1925, a warm personal friendship arose between us, which extended to the time of his sudden passing; and my intimate contact with him during these years afforded me opportunity to know his many virtues and splendid qualities. Of pleasing personality and always obliging, one had but to know him to admire him. Being jovial by nature and always courteous and polite, he was a veritable ray of sunshine among those with whom he associated. He was truly a prince among men.

He had an unusually alert mind, and the power of grasping and analyzing any question or proposition almost instantly, and was always ready with an answer to any question which arose.

He was an eloquent and forceful advocate, well grounded in the principles of law, and, indeed, was an able and accomplished lawyer.

As a legislator he was quite alert, yet conservative, and his appraisal and judgment on legislation was invariably sound. He was an energetic and intelligent worker, and never tired in the service of his constituents and in looking after their every want, whether great or small.

As an evidence of his popularity and the esteem in which he was held, many commendatory resolutions, and those of sympathy, were adopted, among which might be cited a resolution by the House of Representatives of Georgia; one by the State Senate of Georgia; one by the Kiwanis Club of Waycross; one by the Democratic executive committee of the first district of Georgia; one by the Bull Street Bible class of Savannah, Ga.; one by the commissioners of roads and revenue of Liberty County, Ga.; one by the Savannah District Council, No. 1, Daughters of the American Revolution; one by the Sons of Confederate Veterans, of Savannah, Ga.; one by the Savannah Aerie of Eagles, No. 330; one by the Commissioners' Court of Chatham County, Ga.; and a memorial by the bar of Chatham County, which is a splendid and most-deserved tribute to his life and character. This memorial is so appropriate and expressive that I venture to incorporate some brief extracts from it, as follows:

CHARLES GORDON EDWARDS lived a sacrificial life. He gave no thought of himself in his great undertaking for the upbuilding and betterment of the district which he served and the people whose good opinion he cherished. Truly, he gave his life for others. He was unaffected, open hearted, and sincere. No request for service by any constituent was ever unheeded by him. The rich and the poor, the humble and the exalted, were all his neighbors.

In his public life his career was without spot or blemish. He was clean and upright, generous to a fault, fair and honest with all. His word was his bond.

CHARLES GORDON EDWARDS impressed himself upon the minds and hearts of his people mainly because of their absolute faith in the integrity of his motives and in the rectitude of his purposes. He abhorred sham and hypocrisy.

The family of my departed friend consisted of his devoted wife, Mrs. Ora Beach Edwards, and his loyal son, Charles Beach Edwards; and it would be inappropriate to close these remarks without reference to his exemplary home life, where his shining qualities literally radiated. Knowing whereof I speak, I can truly say no husband and father was ever more affectionate and considerate. It seemed to be nature with him to anticipate and supply everything which would add to the pleasure and comfort of his splendid wife and son, and their relations in the home were ideal and reciprocal and might be termed a perfect home.

Mr. MOBLEY. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include a statement by Hon. WALTER F. GEORGE, as follows:

The biography of a public servant, like the biography of a private citizen, discloses little of the life and character of the man. Those who have served together in a common cause generally acquire a knowledge of the value and worth of the life and character of the true servant not revealed in the chronological account of those events which are noted by our fellow citizens in private life.

The world knows that CHARLES G. EDWARDS was elected to the Sixtieth Congress and served with distinction in the House of Representatives through the Sixtieth, Sixty-first, Sixty-second, Sixty-third, and Sixty-fourth Congresses; that his retirement at the end of the Sixty-fourth Congress was voluntary; and that he was again elected to the Sixty-ninth, Seventieth, Seventy-first, and Seventy-second Congress. His public career was closed by death during his service as a Member of the Seventy-second Congress. The friends and neighbors of CHARLEY EDWARDS knew that he was born and reared on a farm in Tattnall County, now Evans, of honorable parentage; that the Edwards family is a large and influential family in southeast Georgia; that Charley attended public schools of Tattnall County; Gordon Institute, at Barnesville, Ga.; Florida State College, then located at Lake City, Fla.; and that he graduated in law from the University of Georgia, in his native State.

He engaged in the general practice of law; served as president of the board of trade of his adopted city, Savannah, Ga.; as a member of the Savannah Harbor Commission; and was active throughout his life in the agricultural, commercial, civic, fraternal, educational, and religious life of his city and State.

He married Miss Ora Beach, the daughter of the Hon. and Mrs. W. W. Beach, of Waycross, Ga. His only son, Beach Edwards, is now an honored member of the Savannah bar. To his faithful wife and his son he left a legacy of a life of service—countless friends who knew and loved CHARLEY EDWARDS.

CHARLEY EDWARDS and I were born during the same year, 1878. He was my junior by a few months. During many years I knew him intimately and loved him devotedly. He acquired friends naturally and held them by his fidelity. At his death his friends in Congress were numbered by the membership of both the House and the Senate. Genial and unselfish, he happily excited no jealousies and died in the established affection of those who served with him as well as the great constituency of the old first district of Georgia, whom he served so long and so faithfully.

Born on a farm and reared among farmers, he loved them and worked untiringly for them, their wives, and their children. He took his place, nevertheless, in the life of a great city—historic Savannah, a city fortified by a glorious history and strengthened and inspired by its distinctive ideals and standards.

CHARLEY EDWARDS studied faithfully the larger problems before the Congress during his relatively long years of service and he worked untiringly for the interest of his district. He kept in constant and close touch with the people of his district without regard to rank or station. He possessed intimate knowledge of the needs and problems of his people; it would be difficult to name another Member of Congress from any State who gave more unsparingly of his time and thought to the service of his people.

His memory will be cherished by those who knew him at home and by those who were privileged to serve with him and to share his confidence and wise counsel in public affairs.

BIRD J. VINCENT

Mr. HOOPER. Mr. Speaker, on July 18, 1931, Hon. BIRD J. VINCENT, for five terms a Representative from the eighth district of Michigan, died on his return from Hawaii, where he had gone in search of health. The news of his death brought sorrow to the many thousands in his district who had for years loved and honored him and to the Members of the House of Representatives who had the intimate knowledge of his fine qualities of heart and mind which our close association brings; his loss was, and continues to be, keenly felt.

In the 51 years of his life Mr. VINCENT had acquired a wealth of experience and knowledge which, with his health, he spent lavishly for the public good. The son of a Michigan farmer, he was admitted to the bar in 1905 and soon after entered upon a continuous career of public service which ended only with his death. In 1909 he became assistant prosecuting attorney of Saginaw County, and was later elected prosecuting attorney. Almost at once he gained the reputation of being a remarkable trial lawyer. This reputation was well deserved. I never knew a clearer thinker, nor one who could better analyze, in terse and pithy speech, a problem, whether legislative or legal, to which he bent his mind. He had the ability to state in a single sentence an involved proposition, legal or otherwise, more definitely than most experienced lawyers could do in many sentences. The ambiguous phrase, the word of doubtful application, had no place in his utterances. He unerringly selected the right word, the apt phrase. This made him a power in court and forum. Yet I think that his success with courts and juries and in this Chamber was due less perhaps to this than to his robust integrity, his reputation for truth and honesty and fair dealing, which followed him throughout his life.

Though always frail of body, he passed the rigorous test which in the early days of the war sent him overseas as a first lieutenant of Infantry. He served in France from July, 1918, to May 8, 1919, and reached his home in Saginaw to learn that the council of the city had tendered him the position of city attorney. He held this place with honor and ability until on the retirement of Hon. Joseph Fordney he was elected to the Sixty-eighth Congress.

Most of the present Members know of his work here. Most of them know of his brave struggle with ill health, the direct result of his military service. They know of his faithful work in committee and on the floor of the House. His fellow members of the Immigration Committee would tell you that he was its ablest lawyer. His great and lawyerlike presentation of the contested-election case of Hon. JAMES M. BECK won for him new admiration and esteem. He was one of the most valuable members of the Veterans' Committee. He rarely spoke from the floor, but when he did he had the attention of the House from the beginning to the end of his speech, and those who might not agree with him heard him with deep admiration and respect.

He was a brave soldier, a distinguished lawyer, and an efficient legislator. He added to the prestige of this body and to its usefulness. The last years of his life were a constant battle with disease and pain, but he toiled on undaunted and cheerful, doing each day's work well. To him the humbler task was as important as the greater. All of his energy, all of his devotion, all of his patriotism were at all times at the service of his constituents and his country.

"Earth may run red with other wars; he is at peace." The quiet spot at Saginaw where repose his ashes is a sacred spot to us who knew his worth. Soldier and statesman, lover of his country—sweet be his sleep and waking.

Mr. WOODRUFF. Mr. Speaker, I rise for the purpose of paying a brief and humble tribute to the memory of my distinguished colleague, BIRD J. VINCENT, of Saginaw, who for nearly nine years served in this great legislative body the eighth congressional district of Michigan with honor, marked ability, and distinction.

Congressman VINCENT was cut off in the midst of a career of great promise and unusual accomplishment. He was exceptionally well equipped for the duties of his high office, having graduated from the law school of the University of Michigan, and after a period of private practice in the legal profession served nine years as assistant prosecuting attorney and prosecuting attorney of his county, which latter office he patriotically resigned to enter the United States Army at the outbreak of the war in 1917. He served as a first lieutenant of Infantry for 21 months, 10 months of which were spent on the battlefields of France. Returning to his native soil, he then took up the thread of his legal career, serving as city attorney of Saginaw until his election to the Sixty-eighth Congress.

The eighth congressional district of Michigan adjoins the tenth district which I have the honor to represent. Further, Mr. VINCENT's home city and mine adjoin. Our former acquaintance ripened into a fast friendship, which continued until his untimely death. He was of a very retiring and unassuming nature, but a man of rare judgment, discernment, and political sagacity. So well formed and mature were his judgments that his colleagues sought his counsel and relied upon his advice whenever matters of mutual concern to our beloved State and Nation were involved.

He was utterly unselfish in the discharge of public duties. He knew no other ideal of service except that which represented the best interests of his constituency and the American people. No interests, it mattered not how great or influential, and no cause, it mattered not to what extent it appeared to be backed by popular clamor and public sentiment, could ever swerve him from what he considered to be the path of truth and wisdom.

But this great devotion exacted a toll of health to which he paid no heed, in his zeal and undiminished exertions for the public weal.

In coming years when the young man shall enter the public service and shall seek for guidance and civic courage, he will find no more illustrious exemplar of the true and tried public servant than that of BIRD J. VINCENT, to whose memory we are to-day paying a feeble tribute.

SAMUEL COLLIER MAJOR

Mr. JOHNSON of Missouri. Mr. Speaker, at this solemn hour we are again reminded that in the presence of life the mysterious messenger Death has invaded and depleted our ranks.

The Grim Reaper called from our midst one of the ablest statesmen serving in this great body, the Hon. SAMUEL C. MAJOR, of Missouri. He was my true, close friend. I deeply miss him. With a heart heavily laden with sorrow but ever filled with the choicest memories of my personal associations with him, I give these expressions in his honor.

It is difficult for the finite mind to comprehend why he should have been taken from us at a time when he was rendering such signal and valuable service to the Nation. His work has not ceased. He has merely been translated from this imperfect to that all-perfect celestial sphere where he may more fully function throughout eternity in the magnetic presence of Him who surely ordereth all things well. I am persuaded that approvingly at this hour he is viewing our efforts and would give us the message ceaselessly to battle for the public welfare.

SAMUEL C. MAJOR was born in Fayette, Howard County, Mo., July 2, 1869. After graduating from Central College of his home city and the St. James Military Academy of Macon,

Mo., he studied law, was admitted to the bar, and because of his ability and sterling character, soon became one of the leading lawyers of central Missouri.

Following in the footsteps of his illustrious father, it was natural for him to desire to render service to the public. He was appointed prosecuting attorney of Howard County in 1892, and thereafter was twice elected to such office.

He was elected to the Forty-fourth and Forty-fifth General Assemblies of Missouri. He was elected to the Sixty-sixth, Sixty-eighth, Sixty-ninth, Seventieth, and Seventy-second Congresses. In all of his long and useful official life he rendered faithful and efficient services. He was never prompted by selfish motives but always had the single purpose to do those things best for the welfare of those whom he represented. In the National Congress he soon was recognized as one of its ablest and most influential Members. He was honored by being appointed to the major Committee on the Judiciary, and at the time of his death was recognized as one of the most influential members of such committee.

The footprints he left in the sands of time will ever be sure guideposts to point the way to those who follow in their efforts to serve the public. As his successor I feel my inability to measure up to the high standards set by him; but strengthened by the impress of his influence and ideals, I am given courage to battle for those principles of right and justice in which he so devoutly believed.

SAM MAJOR was a man of high, charitable, and noble character and purpose. He has left an impress for good in my State and the Nation that the lapse of time can not efface. He had the most ideal and happy home life and left a wife and two daughters to mourn his departure. As his friends, we sorrow with them; but with confidence and composure we look forward to that time when all mysteries shall be cleared away, when we shall fully know and understand, and when we shall again be reunited with our friends who have for a short time preceded us to those shores which are eternal.

Mr. LOZIER. Mr. Speaker, in the death of Hon. SAMUEL C. MAJOR this House lost one of its most beloved, useful, and influential Members. He brought to the discharge of his duties a well-trained mind, sound judgment, honest intellectual processes, industry, and an unusual capacity for efficient public service. He was an able and successful lawyer, well schooled in both the philosophy and the exalted traditions of his profession. The son of a lawyer of distinction, he was ambitious, by his own efforts, to achieve success in the profession that has so materially contributed to the founding and development of our free institutions. He had both the will and the ability to succeed. As Tennyson, in *Aylmer's Field*, said, he—

Mastering the lawless science of our law,
That codeless myriad of precedent,
That wilderness of single instances,
Thro' which a few, by wit or fortune led,
May beat a pathway out to wealth and fame.

With SAMUEL C. MAJOR, justice was the life of the law, and, like Justinian, he looked upon our jurisprudence as the perfection of human reason and human experience functioning for the benefit of the public. He had a wholesome respect for the law, believing that where law ends there tyranny begins.

In the practice of law he held steadily to the high ideals of his profession. He was an eloquent and convincing speaker. His sincerity and candor disarmed his adversaries and bound men to him as with hoops of steel.

As a member of the State senate he served the people of his Commonwealth ably and honorably. As a Member of the House of Representatives, the greatest legislative body in the world, he was faithful to every trust. He was diligent and painstaking. He was loyal to his constituents. He endeavored to speak their language, reflect their wishes, protect their interests, and promote their welfare. He had the confidence and respect of his colleagues, who loved him for his many fine qualities of mind and heart. No dishonest dollar ever crossed his palm. He has left behind a record of faithful and efficient service.

In our feeble and finite method of thinking, we look upon the death of SAMUEL C. MAJOR as untimely; but measured by God's infallible standard, he lived out his allotted time and made his foreordained contribution to his day and generation. Out of the silent shadows he came into this old world to abide in the habitations of men three score and three years. While life is even a vapor that appeareth for a little time and then vanishes away; or a bubble, and its short duration forbids that we cherish long hopes, still SAMUEL C. MAJOR did not grumble or quarrel with destiny, but in the perplexities of his active professional and public career he met disappointment and the fortuitous concourse of events with a courage that challenged admiration.

His was not always a flower-skirted path. His lot was not one of ease, indolence, or unalloyed pleasure. Destiny decreed that he grapple with the stern realities of life. By hard knocks and by force of his own indomitable will he won his spurs and earned the respect of those with whom he touched elbows in his journey from the cradle to the grave.

In all the vicissitudes of a busy and strenuous career SAMUEL C. MAJOR held fast to his integrity and scorned to sacrifice principles on the sharp edge of expediency. He did not drift with the tide. His record was not written in shifting sands or sluggish dust but in the hearts and affection of all who came under the influence of his magnetic personality. He was not a broken and bruised reed, the sport of every wind of doctrine, but robust and steadfast in his convictions and in his devotion to his friends.

He was securely anchored in the confidence and good will of his constituents, who delighted to honor him as their Representative. When life's sun had scarcely passed its full meridian, weary from toil and bending beneath the load of an ever-increasing affliction, he returned from the Nation's Capital to the community that gave him birth, and which to him was not only home but the most sacred place in all the earth. There among loyal and devoted friends he fought his last and only losing battle. There he watched the approach of the ever-lengthening evening shadows. There he saw the sun sink in the gray gathering western gloom. There he watched the swiftly flowing sands of life run their last course. There he saw the candle flicker and fade. There, in that holy and sacred environment, he lay down in that dreamless sleep that to this finite life knows no waking. There loving hands drew the curtain when his drama was played out. There Death kissed his lips into eternal silence. From the communion and companionship of friends and loved ones he passed over the Great Divide, down life's western slope, and across the tideless, waveless sea into that mysterious realm from whence his spirit came.

If we had the magic power, which one of us would recall him from the land of shadows? Who will question the wisdom of an overruling Providence in depriving us of his congenial companionship? Who among us will soon forget his smile, his handshake, his words of cheer, and the influence of his genial personality?

He was an honored son of old Howard, the mother of many Missouri counties, and the abode of as high type of citizenship as the world has so far produced. He was a worthy representative of that rugged race of Missourians who laid deep and strong the foundation of our great Commonwealth and built thereon our marvelous free institutions.

It was my mournful privilege to follow his pulseless clay to the silent city of the dead. In that sun-kissed, wind-swept, verdure-carpeted God's acre, all that is mortal of SAMUEL C. MAJOR is crumbling to dust, but his rich and rare and radiant spirit abides with the Infinite.

Mr. FULBRIGHT. Mr. Speaker, the announcement of the death of SAM C. MAJOR came to me as a bolt from the blue. Under such circumstances we find ourselves ill prepared to meet the shock. If our kindly thoughts and affection could have stayed the hand of fate, he would have been spared. It was hard to witness his passing when we so much needed his kindly friendship, his genial comradeship, his

judgment, and advice. He left behind an enviable record of service to his community, to his State, and to his Nation. He was honest, industrious, and courageous. His genial and pleasing personality won the love and respect of all.

The Nation has lost an able and courageous legislator, his colleagues a loyal companion, his district and State a capable, conscientious, and sympathetic servant. His wife has lost a faithful husband, his children a devoted father, and all the world a friend. To meet him was to respect him. To know him was to love him. Of him it can be said that he scattered flowers, radiated sunshine, and made the world a better place in which to live. It is fine to be able to say of him that he enjoyed the unstinted respect and love of those associated with him in the Nation's affairs. He wrote his name upon the honorable roster of those who served in this great arena and high upon the bright escutcheon of a glorious State. This fallen comrade believed that in the Christian faith he found the answer to the world's quest for life as well as the firm foundation of the Republic that he loved and served. He died sustained by the glorious hope of life beyond the tomb. He bequeathed to his family, to us, and to the world the heritage of an all-abiding, all-conquering faith. He loved his country, was a product of its institutions, an incarnation of its spirit. He held in sacred honor those principles of life and government, of social and industrial progress that have made America great and her people free. But he is with us no more. God's finger touched him and he slept.

So rest in that heavenly slumber,
Your toils and sorrows are past;
And the world that you love will rest also
When the peace of your dreams comes at last.

Mr. WILLIAMS of Missouri. Mr. Speaker, SAM C. MAJOR was one of Missouri's great, good men. He was recognized as one of the outstanding lawyers of the State, learned and resourceful in his profession. For a number of years he served the people of his State in official life, where his services were of the highest and most efficient type. For several terms he represented his district and the Nation in the House of Representatives with great ability and distinction. His splendid public service is deeply appreciated by the people of the country and will be gratefully remembered. His brilliant public career was unfortunately brought to a close by the untimely hand of death, he having been elected to the Seventy-second Congress.

Those who knew him best had the most implicit confidence in him and few men were ever held in higher esteem by his close friends and associates. He was loyal, grateful, and devoted to his people. In any movement to help a friend he remained firm and steadfast to the end. Any cause he advocated had his undivided support and his untiring efforts until the fight was finished. He never wavered or turned his back in the thick of the fray. He was public-spirited, generous, and kind.

His sociable and genial disposition is remembered by all. Faultfinding, criticism, grumbling, and complaining had no part in his make-up. Gloom and despondency, sadness and despair were unknown to his philosophy of life. He always spoke a word of good cheer and brought with him joy and laughter and left in his wake smiles and gladness. His time was not spent in the shades and in the shadows, but he lived in the broad, bright light of day, pushing back the curtains of doubt and gloom and despair to let in the blessed sunshine of fellowship and good will. The world is better, brighter, and happier by reason of his sojourn in it.

Of striking, attractive personality, of great and splendid ability, of affable and friendly disposition, of polished and refined manners, of sturdy, stalwart manhood, and of fine, sterling character, he made his impress upon his State and Nation, and his multitude of friends mourn his passing.

Mr. NELSON of Missouri. Mr. Speaker, in the death of Hon. SAM C. MAJOR, late a Representative in Congress from the seventh Missouri district, this House lost one of its most able and most beloved Members. Mr. MAJOR, or "Sam" to

those who knew and loved him, was my neighbor. Born and reared in adjoining counties, we early came to know each other, and to know SAM MAJOR was to have a real affection for him. We served together in the Missouri Legislature, where he made a record for efficiency, faithfulness, and devotion to duty, just as he later made in the National Congress.

The son of a distinguished lawyer and one of central Missouri's outstanding citizens, Representative MAJOR lent further luster to the family name. Many times honored by the voters, he nevertheless remained a plain, everyday American, never once permitting himself to feel that he had been lifted out from among the people he so devotedly loved. Always he was one of them. He was democratic, never puffed up, never unduly proud, always approachable.

It is doubtful if in recent years there has been in this House a Member more universally loved. Never surrendering his convictions, he was always tolerant of the views of the other man, and differences of opinion never separated him from a friend. Big of heart, of mind, and of body, he looked for bigness rather than for littleness in folks, and, looking for it, found it.

When, after weeks of illness, Mr. MAJOR passed on to that better land, the people of his home county of Howard and of the great State of Missouri gathered at Fayette to do honor to his memory and to indicate the great love and admiration they had for a man among men.

Mr. McKEOWN. Mr. Speaker, when the Sixty-sixth Congress closed, Hon. SAM MAJOR and myself told each other good-by as we started to our respective homes, both with the purpose of retiring from public life. We had both been defeated in the presidential landslide.

When I returned to the Sixty-eighth Congress the first man I spoke to in the new Congress was my old friend, SAM MAJOR. We resumed a friendship that lasted until his going.

"Sam," as he was affectionately called by his colleagues, was a lawyer of great ability and was placed upon the great Judiciary Committee, where he served with great distinction. He was a representative of the masses and had the human sympathy in his heart that touches all mankind.

It is sad to contemplate the death of a friend, a brother, a sister, a father, or a mother; but rather would I look at death as a temporary separation, the beginning of a new life, a life better, nobler, and greater than the one through which we are now passing—an advanced step in God's eternal plan.

SAMUEL C. MAJOR was an outstanding figure in the House and a splendid debater on the floor. He was a splendid man, a loyal citizen of his country, and a devoted officer of his Government. He won a deep-seated affection in my heart and in the heart of his colleagues. His passing was a distinct loss to the House, to his district, and to the State which he so ably represented here. America needs now, and in the future, men of the fiber of SAM MAJOR.

Mr. DICKINSON. Mr. Speaker, Hon. SAM C. MAJOR, former Representative of the seventh congressional district of Missouri, was born in Fayette, Howard County, Mo., on July 2, 1869, and there he spent his notable life. He bore the same name as his distinguished father and grandfather. He was educated in the public schools and Central College at Fayette and St. James Military Academy at Macon, Mo. He married Miss Elizabeth M. Simpson, of St. Louis, on December 17, 1895. He was admitted to the bar in July, 1890. A lawyer by profession, he enjoyed a large and successful practice. He was prosecuting attorney of his county for three terms, State senator from his district, and Representative in Congress for four terms, and elected for the fifth term from a great district which he served with marked and distinguished ability.

He was loved as few men are. I was in his little city during his last illness, and I attended his funeral when a great concourse of relatives and friends gathered from far and near to do honor to his memory. Time and again I heard on the streets of his home city, "Everybody loved

SAM MAJOR." He was a loyal friend, a most lovable character, of marked ability, natural in his conduct and manners and methods. He abounded in common sense. He was worthy of the trust and confidence of all who knew him. He was my friend, and that friendship I valued. I loved him for his great worth and his manly qualities of mind and heart. He was one of God's noblemen. With sorrow and a sweet recollection of his many virtues, I am glad to pay humble tribute in a few simple words to his memory.

To say more would be but to amplify the deeds and value of the life of this unusual man. His work and industry were notable in every line of duty. His services as prosecuting attorney were notable, aggressive, and efficient. His record as State senator was of great service to his State. It was dignified and constructive and laid the foundation for wider and greater service in the National House of Representatives, where he commanded the respect, admiration, and confidence of all who knew and served with him. He had a clear mind and reached his own conclusions after close study of every essential problem submitted to Congress.

An outstanding element in the character of this able legislator was his courage in standing by his convictions. He sought the right on every proposition and boldly, by word and vote, declared his position. He was a strong man, worthy of the great confidence given him by his constituents. He left a record and history of which all his friends are justly proud.

A great lawyer, a noted legislator and loyal friend, a most lovable character, and a great citizen has gone into the Great Beyond with a sweet memory of his many virtues left as a legacy for all who knew him.

Mr. MANLOVE. Mr. Speaker, Hon. SAMUEL C. MAJOR is gone. He was a friend to mankind. He was accommodating, industrious, and courageous. His very presence brought cheerfulness and encouragement. His ability and integrity engendered confidence in the hearts of those with whom he was associated. He rejoiced with his friends in their success and sympathized with them in their sorrow. Thousands will remember him and revere his memory through all the days of their lives.

Although there is an empty chair at the council table of his political party in the grand old State of Missouri, his code of ethics will ever be accepted as a standard of "fair play" and "a square deal."

The loving companionship and confidence which he shared with his family was beautiful to behold. Seemingly his every wish and care in life were centered upon his charming wife and sweet and accomplished daughters, and they, his loved ones, and we, his friends, may find consolation in the thought that "Tis not death to live in hearts we leave behind."

Mr. COCHRAN of Missouri. Mr. Speaker, the death of SAMUEL COLLIER MAJOR, a Representative from Missouri, was not only a distinct shock to his colleagues but to his thousands of friends in his home State where he was born and lived throughout the period of his life.

Admitted to the bar in 1890, he entered public life in 1892 and served as prosecuting attorney in his own city. He was a member of the State Senate of Missouri and was first elected to Congress in 1919. His knowledge of both civil and criminal law made him a very valuable member of the Judiciary Committee of the House.

He had an outstanding personality, and made friends with everyone who came in contact with him. Honored by his State and the Nation, his name will always be prominent among distinguished officials who served the people of Missouri.

ERNEST ROBINSON ACKERMAN

Mr. EATON of Colorado. Mr. Speaker, why is it that ERNEST ACKERMAN has been called to his final reward when there was so much to be done that none could do as well as he?

From the first day I sat in this House until we went home at the close of the Seventy-first Congress he was my friend.

His many kindnesses and aids in participation in legislation on the floor of the House will remain outstanding long after some one comes to take my place. That man will be fortunate, indeed, if he finds one as able and willing as Mr. ACKERMAN to be a friend in his case of need.

He might disagree with you, but he never maintained resentment. He granted to each man the right to think and act according to the dictates of his own conscience. If an able presentation of facts seemed to produce a conclusion different from that reached by him, never did he resort to threat or the show of anger or force to influence a decision. Loyalty was his watchword. True to himself, he was always true to his friends. Punctual at all times, he could always be trusted to keep an engagement or fulfill a promise. In legislation he was dependable, a good judge of men and of measures. His wide experience from business and legislative activity, travels in our own and in foreign countries, and continual study and observation, kept him in the forefront at all times in his last chosen field of endeavor where all kinds and classes of the able men of this country meet in a forum to direct the destinies of this Nation.

In his responsible position upon the powerful Appropriations Committee he was mindful of his country's welfare first, last, and all the time. His breadth of view and grasp of national and international problems was exceeded by none.

He was able, diligent, and a devoted public servant as well as a genial gentleman. The country has lost a good American, a fine citizen, and an able legislator.

Mr. SEGER. Mr. Speaker, under the leave granted to extend remarks, I include the following statement of Hon. HAMILTON F. KEAN, United States Senator from New Jersey:

During the few months that have intervened since the adjournment of the Seventy-first Congress and the calling of the Seventy-second Congress there have been many untimely deaths in the House of Representatives. Members taken in the prime of their lives and at the peak of their usefulness to their country in the offices to which they were elected.

At a time when he was performing the best service of a life filled with good works, ERNEST ROBINSON ACKERMAN was stricken and soon thereafter was called to enter upon a rest fully earned. His established character and long record of deeds well done assure him a high place in the endearing memory of all who came in contact with him. Many who had never talked with him face to face had been benefited by his counsel ripened by years of experience and broadened by extensive travel, study, and observation. With profound sadness we bow to the will of Providence and resign ourselves to the irreparable losses we have suffered.

Mr. ACKERMAN was born in 1863; he died at his home in Plainfield, N. J., on October 18, 1931, after a very short illness. Like a great many boys of his time, he did not have the advantage of an opportunity to pursue a long period of schooling, so that we find him at a rather tender age at a busy corner in New York City actively engaged in the sale of newspapers. He became interested in the collection of postage stamps and at the age of 15 years began a stamp-collecting business, which five years later he sold, together with the good will and list of customers, and thereupon moved to New Jersey, where he resided until his demise.

Obtaining a position of office boy with the Lawrence Cement Co., Mr. ACKERMAN advanced successively through the posts of shipping clerk, bookkeeper, traveling salesman, general sales agent, and finally president of the company. From boyhood his life had been clean, active, and always marked with the greatest kindness and consideration of others. He became interested in public affairs, and at one time was a member of the City Council of Plainfield, N. J. In 1905 he was elected to the Senate of New Jersey, being president of that body in 1911, during the administration of Woodrow Wilson as governor. During the absence of the then Governor Wilson, by reason of his being president of the Senate, Mr. ACKERMAN became acting governor of the State.

With the entry of our country in the World War, Mr. ACKERMAN, long past the age for bearing arms, devoted practically all of his time and energies to our Nation's civilian offensive and defensive activities. Liberty bond, war-saving stamp, and Red Cross drives had his enthusiastic support. Social enterprises for the benefit of the men in the cantonments and trenches engaged his most untiring efforts, and finally, when it was necessary as a defensive measure to conserve at home all of the foodstuffs as far as possible, he was made Federal food administrator for Union County, N. J.

In 1919 Mr. ACKERMAN was elected to the House of Representatives from the fifth district of New Jersey, which he represented continuously until the time of his death. In the House of Representatives he was well known as a member of the Committee on Appropriations and as chairman of the committee that passed on expenditures in the Departments of State, Justice, Commerce, and Labor. His splendid human qualities, legislative experience, moral courage, quick understanding, and warm sympathy stood him well

in hand in those days when the Congress was legislating on the mass of important problems immediate to the ending of the greatest conflict in history.

Mr. ACKERMAN had a charming personality. He had the love, respect, and confidence of the people of the district he so ably represented. While he may have differed in opinion with some of his associates in the House, yet his opinion was held in high regard as he himself enjoyed the respect of his fellow Members.

Mr. ACKERMAN was a devoted Representative to the requirements of his district. No request from the humblest of his constituency was too small or insignificant for him to give his personal attention to its solution. He pursued his onerous tasks, which multiplied as his usefulness in the House increased, with unflagging vigor and gave the best that was in him to the tasks of his office. He was an ideal Representative, one who never tired of undertaking the problems of his constituency and pursuing each one to its conclusion.

I have known ERNEST R. ACKERMAN for many years. His character was above reproach. He graced his honorable position in the Halls of Congress with dignity and real ability. I had many contacts with him socially, politically, and in business, and always found him to be a man of unusual attainments, a man whose word could be depended on, and whom it was always a joy and pleasure to meet and an honor to call friend.

Mr. LEHLBACH. Mr. Speaker, in the passing of ERNEST R. ACKERMAN, of New Jersey, the House of Representatives, the State of New Jersey, and the Nation lost one of the ablest and most dependable public servants.

It was my great privilege to be closely acquainted with Congressman ACKERMAN since he was a member of the Senate of the State of New Jersey over a quarter of a century ago. In that body he rendered outstanding service to the State, notably in the inauguration of a system of classified civil service. In the House of Representatives his outstanding merit was recognized, and he early won a place for himself on the important and powerful Committee on Appropriations. I have frequently heard the former great chairman of this committee, Hon. Martin B. Madden, of Illinois, speak of his work in terms of unstinted praise.

ERNEST ACKERMAN cared nothing for showmanship and publicity and never indulged in oratorical flights. His work was thorough and accurate, reflecting his experience, intelligence, and impeccable rectitude. His dominant qualities in public and private life were his unshakable character and his passion for the right and the truth.

Blessed are the pure in heart.

Mr. BACHARACH. Mr. Speaker, within a period of 15 years the House of Representatives has been twice called together to honor the memory and public service of a Representative from the fifth congressional district of the State of New Jersey.

To-day we assemble to express our feelings of praise and admiration for a man who wove his way into the hearts of all of us who have had the privilege of serving with him.

ERNEST ACKERMAN, as he always insisted upon my calling him and felt keenly hurt if addressed with any less familiar title, was a gentleman of the old school and of a character rare to find in these modern times.

Quiet, unassuming, gracious at all times, we shall miss his courtly manner in the halls of this House. Coming from a different section of my State, it was not my good fortune to know ERNEST ACKERMAN until he was elected to Congress as the successor of the late Congressman Capstick. It did not take long to become acquainted with him, and in a few years' time we developed a friendship which I shall always remember and cherish.

He first began his public service in the council of his home city in 1891, and it is a coincidence that my own first appearance in public life was in the city council of my home town. He was next elected to serve his county in the State legislature; here he was accorded a greater honor than that bestowed upon me, for my next promotion was to the house of assembly. In later years we were both to find service in the House of Representatives of the National Congress.

In all the years of his public service he gave to his constituency the best that was in him. He was a legislator of keen perception and sound judgment, and, in my opinion, he was seldom wrong in his vote on the many perplexing questions that harassed the country and the Congress during his service in the House.

ERNEST ACKERMAN was a world traveler of note; for many years he made it a practice to spend his vacations in foreign countries, and the knowledge which he gained as a result served him to great advantage in his work in the House.

In his passing on to a greater and happier sphere, there to reap the reward so justly deserved by the exemplary life which he led on Mother Earth, we of this Congress have lost a real friend, while the State of New Jersey and the Nation have lost an able, intelligent, and efficient Representative. Those who mourn his loss more intimately may well find comfort and fortitude in the knowledge that he was a devoted husband, an affectionate brother, and a true friend.

FLETCHER HALE

Mr. WASON. Mr. Speaker, it is difficult for me to suitably express myself on this sad occasion. As I stand here to-day I am conscious of a sense of great personal loss.

FLETCHER HALE was born at Portland, Me., January 22, 1883; attended the public schools; was graduated from the English High School, Boston, Mass., in 1900, and from Dartmouth College, Hanover, N. H., in 1905; studied law, was admitted to the bar in 1908, and commenced practice in Littleton, N. H.; moved to Laconia, N. H., in 1912, and continued the practice of his profession; city solicitor of Laconia in 1915; solicitor for Belknap County, 1915-1920; member of the board of education, 1916-1925, and served as chairman, 1918-1925; delegate to the State constitutional convention in 1918; member of the State tax commission, 1920-1925; trustee of the New Hampshire Orphans' Home at Franklin, N. H., in 1923. In 1925 he was elected as a Republican to the Sixty-ninth Congress and reelected to the Seventieth, Seventy-first, and Seventy-second Congresses. In the Seventieth Congress he was assigned membership on the important Naval Affairs Committee, and his work on this committee won words of praise for him from the former chairman, the late Thomas S. Butler, of Pennsylvania.

FLETCHER HALE was my friend and colleague. My heart reaches out to his bereaved family with sincere sympathy and understanding because my own grief is so poignant. There is not one of us who has come here to-day to mourn for him and pay tribute to his memory who feels otherwise. His honest, intelligent, and faithful service here commanded our respect. His personality and his friendship won our love and affection. We all realize that the House, the State of New Hampshire, and the Nation have lost a loyal citizen—a truly good man has passed away; a wise legislator; a splendid, outstanding citizen; an able and successful lawyer; a good and intensely loyal friend; a devoted husband and father. This epitomizes the life and character of FLETCHER HALE, whose death grieved his colleagues, shocked his friends and acquaintances. It was on the return voyage from Europe, where he attended as a delegate the Interparliamentary Union at Geneva, that he became ill and died October 22, 1931, at a hospital in Brooklyn, N. Y., soon after reaching the United States.

FLETCHER HALE was an ardent Republican; he earnestly believed in the principles of his party; and because he believed in them, he never failed to take an active part in campaigns. While an intense partisan, he was broadminded and tolerant in all of his views and never allowed partisanship to interfere with his personal friendships or permitted it to influence his position on public questions which did not strictly involve matters of party policy. He was honest, both intellectually and morally; he despised sham and duplicity. I want to say of my deceased colleague and friend that he loved his country, he loved his fellow men, and was willing to make sacrifices that his life might not be lived in vain.

Those of us who worship the living God, although we can not always understand His ways, are fortified by our unswerving trust in Him and are comforted even in death. Though we lose those nearest and dearest to our hearts, we are given the courage to say, "Thy will be done." Fortified and sustained by "an unflinching trust," death is not hideous to one who lived a life like FLETCHER HALE, rather is it beau-

tiful—the step from this world to eternity, from whose realms no traveler ever returns.

Sunset and evening star,
And one clear call for me!
And may there be no moaning of the bar,
When I put out to sea,

But such a tide as moving seems asleep,
Too full for sound and foam,
When that which drew from out the boundless deep
Turns again home.

Twilight and evening bell,
And after that the dark!
And may there be no sadness of farewell
When I embark;

For tho' from out our bourne of Time and Place,
The flood may bear me far,
I hope to see my Pilot face to face
When I have crost the bar.

Mr. LUCE. Mr. Speaker, by the death of FLETCHER HALE the House of Representatives lost one of its most promising Members. He had been steadily growing in the confidence of the House—that confidence which is the first requisite for influence. His fellow Members were learning that his information was accurate, that his judgments were sound, that his sincerity was complete, that his courage was constant. He had shown himself capable of expressing his thoughts felicitously and effectively.

Gifted with a good voice, possessing a ready command of language and exceptional clarity of statement, he won attention whenever he took the floor. It was all the better for his effectiveness that he did not speak often, for thereby his fellow Members learned that he was sagacious enough not to speak unless he had something to say, unless he could tell his fellow Members something they did not already know or could lay before them fresh argument. As chance came he had presided in a way that won warm commendation. He was well on the road to higher honors. It is not given to us to understand why a career so hopeful of great benefit to his country should be brought so abruptly to an end. Grieving for the loss of what might yet have been, we must perforce content ourselves with gratitude for what had been.

In the reasons for gratitude those of us who were blessed by close acquaintance will include his endowment with those qualities that most conduce to friendship—the qualities of kindness, cheerfulness, generosity, sympathy, modesty, candor. These made companionship with him a delight. In Congress, as indeed in any other of the relationships of life, men do not help their associates by lofty intellectual effort alone. The day's work is in no small part matter of routine. Fortunately there are interludes in the work itself, and when the day is over, there must be hours of relaxation. When in such hours chance brought me in contact with FLETCHER HALE, his charm always made the contact happier. It was good to be with him. By reason of the traits that made for friendship we are grateful that we knew him. To us their memory will be precious.

Mr. BRITTEN. Mr. Speaker, in the passing of FLETCHER HALE the State of New Hampshire, as well as the entire Union, mourn and deplore the loss of a capable Representative in the Congress of the United States.

His attention to duty, his fidelity to his trust, his capacity, and his official and personal integrity were most profound. It made a deep impression not only upon the members of the Committee on Naval Affairs, upon which he served with outstanding distinction, but upon the whole membership of the House of Representatives.

FLETCHER HALE's life was one of unceasing activity. With him each attainment was but a step upon the stairway that led to higher places of advancement.

His rise at the bar was rapid, continuous in its progress, and conspicuous in its achievements. He was a lovable man and was greatly beloved on both sides of the House.

He was first of all a loyal friend and was possessed of a charming personality that made itself evident where he chanced to be. His companionship was kind, considerate, and most attractive.

FLETCHER HALE had original ideas concerning the national defense and was a valuable member of the important Committee on Naval Affairs, where naval policies upon which the very life of the Nation depended were made effective. His absence from this committee is a real loss to the Nation.

Mr. EVANS of California. Mr. Speaker, I shall not attempt to express, even measurably, my sense of loss as an individual sustained in the sudden death of my friend and associate FLETCHER HALE, of the State of New Hampshire. We were close personal friends, and I entertained for him a real affection. I shall never fail to remember his exceeding kindness, his fine inspiration, his wonderful fellowship, and his earnest and sincere purpose to be helpful to others.

"Fletcher," as we intimately and affectionately knew him, was ever at the command of his friends and colleagues when opportunity offered to lend a helping hand or to do a kindly deed. He was an able and courageous legislator, an eminent lawyer, and an outstanding American of the highest type.

It is, indeed, most fitting that those who knew his worth through daily and intimate association should gather in this Chamber, where the most important and effective part of his work was done, for the purpose of expressing sincere and affectionate appreciation of a life dedicated in high degree to the public service. The tributes paid to him are well deserved, because they were earned by years of devotion to the interests of our country, because his record as a Representative in Congress was characterized at all times by zeal for the public good. To the people who trusted and honored him he gladly gave all that was highest and best in him.

My work with him as a member of the Committee on Naval Affairs imbued me with his high principle, his ever-present sense of honesty, and his indomitable will to do the right as his conviction led him to see the way.

I humbly commend to his stricken wife and children and to his myriad of loyal friends the memory of this good man, and I desire to record for the sake of posterity and for the benefit of the loved ones he left behind my deep appreciation of his personal worth and the value of his service to his State and to the Republic.

Mr. COYLE. Mr. Speaker, there were 69 of us new in the Sixty-ninth Congress, and with all of us there was a regard and liking for FLETCHER HALE, rugged son of New Hampshire. So close I felt to him that the honor of expressing that regard, though a labor of love, is yet no easy task.

We found in him the straightforward virtues that we come to expect in the sons of the Granite State. With him, too, there was a smile that bespoke a manly friendliness of character and consideration for his fellow man. Among the younger men in Congress there was none for whom a brighter prospect shone. He spoke not often, but when he spoke it was with the authority that comes with definite knowledge and clear thought. With him a broad tolerance for the other point of view served but to accentuate and not to compromise his own clear cut course and logical goal.

When we come to appraise and measure the manly virtues of the man we knew, again shines out the modest courage, the unselfish adherence to duty, the thoughtful, kindly hand of FLETCHER HALE.

When he was laid to rest mid those New Hampshire hills on that windy autumn day, the people he served so well came to pay their last tribute to their fallen leader. Their number seemed as the autumn leaves that fell.

They gathered from Mount Monadnock on the south and Mount Washington on the north, from shop and mill and sugar grove they came, from modest home and executive mansion, the section hand and the president of the road, and met in Laconia's lovely churchyard. In hushed and quiet multitudes their very presence said, "In honoring this man we do honor ourselves." As did his friends in Congress, so did they recognize the untimely end of a career honorable in his country's service.

For his countless friends in New Hampshire and in Congress I quote a verse of Kipling's that might well be our guiding star, as certainly as it typifies FLETCHER HALE:

Stand to your work and be strong, halting not in your ways,
Baulking the end half won for an instant dole of praise.
Stand to your work and be wise—certain of sword and pen,
Who are neither children nor gods, but men in a world of men.

Mr. PARKER of New York. Mr. Speaker, FLETCHER HALE, of the first New Hampshire district, was one of those New England legislators to whom public office meant an opportunity to serve his country.

Born in Maine, educated in Massachusetts and New Hampshire, Representative HALE was endowed with the finest qualities of the New England tradition. He was straightforward. He never hedged or trimmed. There was never doubt as to where he stood, never reason to wonder if he had meant what he said.

All these qualities of stanchness and forthrightness were graced with a sense of humor and an amiability of personality which endeared him to his associates in Congress and in private life. It was easy and pleasant to know him. Honor and conscience were decorated and mellowed with tolerance and wit.

An able lawyer, he served his community and his Nation in ways for which he had prepared himself in his education and background. He went to public schools, to the English High School in Boston, to Dartmouth College. He was solicitor for Belknap County, N. H., for five years, and during nearly all of that time and for five years thereafter his interest in education led him naturally to membership on the board of education and to its chairmanship for seven years. He also extended his interest in education to the less-fortunate children by serving from 1923 until his death as a trustee of the New Hampshire Orphans' Home.

In addition to his legal and educational services, FLETCHER HALE served his State in a fiscal capacity as member of the State tax commission for five years, and helped write the State's present constitution as a delegate to the State constitutional convention in 1918.

In Congress Representative HALE was particularly interested in the development of the Navy, and was a member of the Naval Affairs Committee. His interest in international comity took him to the Interparliamentary Union in 1931, and it was on his way home from that meeting that he became ill and died before he was 49 years old.

His early death is a loss to his State and his country, and a personal loss to his friends. We had all expected many more years of usefulness from him and many more years of pleasant association with him on Capitol Hill.

Mr. DARROW. Mr. Speaker, the sudden death of our late colleague Hon. FLETCHER HALE, of New Hampshire, was a severe shock to all of us, and I felt a deep sense of personal loss, for he was a dear friend and associate.

My intimate acquaintance and close association with FLETCHER HALE was brought about by our service together on the Committee on Naval Affairs and the further fact that our offices were practically adjoining. Therefore, I had the opportunity to know him well, to realize the worth and beauty of his character, as well as to appreciate his many sterling qualities and to respect his judgment and ability. He performed his work as a Member of Congress with all the diligence and conscientiousness that he would have devoted to his own personal affairs.

Though his life of 48 years was far too short, yet it was long enough to demonstrate possibilities of great promise for the future. I know as our acquaintance prolonged my admiration for him only increased. I have every reason to believe that the splendid reputation borne by him in Washington was fully shared by his constituency, who had repeatedly expressed their confidence in him at the polls.

FLETCHER HALE was ever ready to serve a friend. He rendered a distinct service to me when he accompanied me to my district and delivered an address at the Lincoln banquet of the Germantown Republican Club, which was one of the most inspiring, instructive, and entertaining speeches ever delivered before this club. He made many friends in Germantown, and they were greatly grieved to learn of his recent death.

It is a privilege to have served and labored with this young statesman and to have enjoyed his friendship.

Mr. HANCOCK of New York. Mr. Speaker, it is with a heavy heart that I undertake an expression of my appreciation of FLETCHER HALE, for it brings the bitter reminder that we shall see him no more in this world. Although I was privileged to know him only during the last four years of his life, he had my enduring regard and when he died it was as if I had lost a lifelong friend.

Like many others, I sought his company and friendship after first acquaintance, attracted by that rare quality we call charm and encouraged by his amiable disposition and unaffected manner. Cheerful, humorous, keenly intelligent, he was a delightful companion. He was honored and respected by all who knew him for his honesty, courage, and exceptional ability; and he had the deep affection of those to whom he gave his confidence and friendship. Rarely in my lifetime have I known a man whose companionship I enjoyed so much, whose character and talent I appraised so highly, or whose friendship I valued so greatly.

He had seriousness of purpose and maturity of judgment, but he never lost the optimism and buoyancy of youth in his outlook on life. He had dignity and self-respect, but he was always modest and considerate in his relations with his fellows and he was the sort people in trouble turned to, because they trusted him instinctively.

He had none of the acquisitive instinct which dominates the lives and aspirations of most of the people on earth. His life was dedicated to public service and to kindly and generous acts toward those who needed help. He acquired little of the world's goods, because the amassing of wealth was of slight consequence in his philosophy of life. The splendid woman who is his widow and his two fine boys have the admiration and deepest compassion of a multitude of friends and well-wishers as they face the world with brave and dauntless spirit.

I had the good fortune to sit with him on the Naval Affairs Committee of the House for four years. He was a skillful and painstaking legislator. Unobtrusive, he never sought the center of the stage or entered into headline-provoking controversies, but out of clear-headed thinking and conscientious study he made many valuable contributions to the consideration of the questions that came before that committee, and by his gentle persistence and convincing speech he exerted a marked influence on the legislation that came from the Naval Affairs Committee. Respect was paid to his opinion and deference to his judgment by his colleagues.

He believed in a strong, efficient, modern Navy because he was passionately patriotic. There was nothing of the sword-rattler or the jingo about him, but neither was he a weak sentimentalist. His supreme desire was to secure the peace and security of his country and he had no taint of internationalism.

He did not often speak on the floor of the House or extend his remarks in the RECORD, and never for self-glorification or selfish political purposes. He took the floor when his responsibility for legislation required it or when moved by deep conviction and a sense of duty. When he spoke he was listened to, because he spoke with earnestness, with knowledge of his subject, and with the art of a natural orator.

He was an effective speaker in the House or on the platform. Not only did he have the oratorical requirements of voice, gesture, and presence, but his words carried the conviction that springs from the logical thinking of an orderly mind and the inspiration that is born of absolute sincerity and high purpose.

I recall with the pleasure a man has in the success of a good friend the occasion when FLETCHER HALE last presided over the House as Chairman of the Committee of the Whole. A controversial bill was under consideration, the House was inclined to be disorderly, many puzzling points of order were made. He presided with exceptional dignity and fairness; his decisions were prompt, concise, and clearly expressed;

and when he stepped down to report to the Speaker, he received the most enthusiastic applause I have seen accorded any presiding officer since I have been a Member of the House, and the best deserved.

FLETCHER HALE had the mental capacity and moral strength to fill the highest places of public trust. His natural gifts inspired public confidence and attracted a steadily widening circle of loyal friends. He seemed destined to carry heavy responsibilities in these troublous times when people are searching for strong men to lead them. His taking off is doubly grievous because he died in the full prime of manhood. When a fatal disease claimed him with tragic suddenness a valuable and useful life was ended and his country lost a man of true statesmanlike qualities and extraordinary promise of greater service in the years to come. And I have lost a cherished and beloved friend whose death I shall never cease to mourn.

Mr. WIGGLESWORTH. Mr. Speaker, it is always difficult for those left behind when a true friend and colleague is called upon to lay down his life. It is particularly difficult when that life is one of full vigor and of brilliant promise. Under such conditions the loss is not merely personal; it is national.

The life of Hon. FLETCHER HALE, of New Hampshire, was such a life. Devoted largely to public service, it was characterized by devotion to duty, by ever-increasing usefulness, by qualifications which seemed to carry with them the assurance of still greater responsibility, of still greater contribution to district, to State, and to Nation.

Born in 1883, a graduate of Dartmouth College in 1905, an attorney by profession, his fine abilities enabled him to serve his city, his county, and his State as a member of the city board of education for about 9 years, 7 years as its chairman, as city solicitor for about a year, as county solicitor for about 5 years, and as tax commissioner of New Hampshire for a further period of about 5 years.

Elected in 1924 to the Sixty-ninth Congress, reelected in 1926, 1928, and 1930 to the succeeding Congresses, his unusual qualifications were quickly recognized in the service of the Nation. Thorough in research, sound in conclusion, he played an important part in the work of the House Committee on Naval Affairs. A trained speaker, a good parliamentarian, he won for himself a position of confidence and increasing influence in the House as a whole. Twice during the closing months of his career he was called upon by Speaker Longworth to preside over the House in the consideration of bills of contentious and difficult character. Those who were present at the time will recall the decision and dispatch with which the bills were handled and the acclaim accorded him by the House as a whole at the conclusion of the consideration in each instance.

It was my privilege to see much of our colleague during the four sessions of Congress immediately preceding his death. Coming to Congress in December of 1928, I found myself turning to him for information and for counsel. I came to regard him not only as a close personal friend but as one of the soundest and most promising of the younger Members of the House.

His character, his ability, his judgment, his courage stamped him as one destined to play a still greater rôle in the service of the American people. His untimely death at the age of 48 was an incalculable loss—a loss to a host of devoted friends and admirers won during a life of public service, a loss to the country as a whole, deprived of the promise of further contribution of greater distinction. America, Mr. Speaker, can ill afford the loss of one so conscientious, so able, so fearless, in these difficult times through which we are passing.

Mr. TREADWAY. Mr. Speaker, others will speak of the political career of FLETCHER HALE. They will refer to his experience as an important official of the State of New Hampshire and his efficient service as a Congressman from that State.

If I were to comment upon FLETCHER HALE's official life, I could truthfully say that in my judgment no man with whom I have come in contact in Congress in recent years had a more brilliant future in prospect than he. He was able, popular, a careful student of legislation, endowed with a keen mind and conservative judgment; he was young, with an expectation of years of service, and by all the measures of human comparisons the future had in store for him inestimable rewards.

However, in the brief references I desire to make to FLETCHER HALE I shall not touch upon this part of his life and character. I want to take for my subject a few words which he once said to me. We were talking about a prominent hotel in a leading summer resort where we had both been guests. In his quiet way he said to me, "Allen, I used to be a bell hop in that hotel." The remark impressed me, but little did I think I would have occasion to refer to it in this manner.

I class FLETCHER HALE as one of the most typical examples of a successful citizen with whom it has been my good fortune to be thrown into contact. He was a poor country lad, dependent upon his own efforts to obtain an education. He worked his way through college, earning a few dollars during the vacation period at a summer resort. He secured his own meals in college by waiting on his classmates. He studied law under adverse conditions and under financial limitations.

Possibly as thorough a test as any of a young man's ability to complete his education is to start life in a moderate-sized New England town. Making good under such conditions, where neighbors are familiar with life's details, is a true test. This FLETCHER HALE undertook and won. Following his marriage and undoubtedly aided by his wife, who herself had made her own way as a teacher, young HALE progressed step by step until he became an outstanding figure not only in his home community of Laconia but in the State of New Hampshire.

Let me, however, revert to my original thought of FLETCHER HALE as a friend and companion rather than as a lawyer and official. When the sad news was flashed over the wire last October of his sudden death while returning from abroad, the first thought that came to me was of the personal loss of a friend. My associations with him were more outside the Halls of Congress than within. The feeling of sadness was at the departure of a real comrade and chum, one with whom I had associated before he became a Congressman in the companionship that comes to men through like interests in athletics and social activities where there is no gloss or frills and where the real fellow is with you. FLETCHER HALE was the personification of a friend. This is not intended to be the eulogy of a Congressman but of a real American. No title can compare in value with that of a successful American citizen. I will regard FLETCHER HALE always as typical of that designation, a self-made, thoroughgoing, true American citizen.

Ah, friendship, stronger in thy might

Than time and space, as faith than sight!

Rich festival with thy red wine

My friend and I will keep, in courts divine.

—Helen Hunt Jackson.

Mr. BOLTON. Mr. Speaker, in availing myself of the privilege of joining my colleagues in paying tribute to those of this body who have "passed beyond" I do so with mixed feelings of appreciation and regret; regret in the realization that those familiar faces are no longer with us; appreciation in the knowledge of their lives and what they have contributed to our Nation's welfare.

It is my purpose, however, to speak briefly of one whose attributes, ability, and accomplishments particularly endeared him to his associates and from whose all-too-brief association came, for me, ties of friendship and esteem which the realization of separation can not efface.

Others have spoken of FLETCHER HALE's ability and splendid record of public service, of the use to which he put the faculties with which he was endowed, and have described

his upward march from boyhood through one of our Nation's leading universities to his chosen profession of the practice of law. Full credit has been given in his record of various offices of public trust and esteem leading to his position of high regard in the Congress of the United States as representative of his district.

It is a record of accomplishment and success based on a determination and a sincerity of purpose which come to those who not only have the ability to see clearly but are alive to their responsibilities to their fellow men. FLETCHER HALE has left a record of achievement and public service which is not only a credit to his State but another example of devotion to his country, for which our Nation is noted.

But the success which marked FLETCHER HALE's all-too-short career was not due entirely to his devotion to his public duties and his energy and purpose in serving his fellow man. He had those qualities and deeper sensibilities which marked him as one in tune with the universe, as one who sensed the joy of living, and through those attributes the understanding of the problems of his fellow man, which made him so sympathetic in his relations with friend and acquaintance alike. As one who had experienced the stern demands and knocks of daily life and the hard path of success, he could understand and assist those in need of encouragement.

As one who had experienced and enjoyed the real joy of living, he could rejoice understandingly with those who were more fortunate. A friend to all, strong in work or play, quick to understand and eager to help, sympathetic, just, or stern as occasion demanded, he typified all that is good in life. His happy smile, his friendly word were given freely, unstintingly. His good advice, his keen judgment made his words welcomed. But above all his quick understanding, his sympathetic nature, and his cheery attitude, regardless of conditions, made his a personality which brought happiness and rest to whom he contacted.

His life, in truth, was not only an example of devotion to his country but also a record of love for his fellow man. To those of us who were privileged to work with him the peculiar cheery courage that was his—that radiated from him under all circumstances—is something we can ill spare; yet his example should go before us, lighting our way, challenging us to increasing selflessness and a clearer and more consecrated patriotism.

Mr. FRENCH. Mr. Speaker, somehow there is special pathos in the cutting down of life right in the midst of its prime, and particularly when the life is dedicated to serious, purposeful responsibilities that confront the people of a nation. Such was the fate that overtook our late colleague, FLETCHER HALE, a Member of the House of Representatives since the Sixty-ninth Congress, a member of the Naval Affairs Committee, returning from a mission to the Interparliamentary Union, where he had gone as a representative of the American group of that organization—in the midst of great work that he was modestly carrying forward with distinction and ability our colleague was stricken.

During the nearly seven years of membership in the House of Representatives FLETCHER HALE had impressed himself upon his colleagues as a man deserving of respect, deserving of confidence, and one whose counsel and judgment must thereby be sought.

No Member of Congress can serve long in the position to which a constituency has chosen him before an appraisal of his worth and ability will have been made by his colleagues. This appraisal is made upon the basis of the everyday life and action of the Member himself. It is made through contact, through observance of the Member's deportment among his fellows, through the degree with which the Member measures his words, through candor or lack of candor, through habits of speech and action that reflect carelessness or accuracy, or that indicate studiousness and attention to the problems in hand.

During the years of my acquaintanceship with FLETCHER HALE for the most part my contact was with him as a member of the Naval Affairs Committee while I was chairman of the committee handling the naval supply bill. We under-

stood each other; we did the closest of teamwork; we did not always agree, but we had faith each in the other, and at all times I recognized and cherished in my colleague a fine and generous soul.

My colleague did not assume a dual attitude when he labored insistently for the development of an American Navy as a member of the Naval Affairs Committee and when he labored for international understanding as a member of the Interparliamentary Union, through which the navies of the world might be reduced; rather, the two seemingly conflicting positions were in harmony.

Our colleague believed that unbridled rivalry among nations in military craft is provocative of misunderstanding and war. Therefore he sought to remove competition through understandings that could be attained at the conference table in the exchange of ideas and aspirations of world peoples. On the other hand, in the absence of that understanding which he regarded as teamwork, he stood for an American Navy equal to maintaining the needs and dignity of our great country. Imbued with this philosophy, Mr. HALE was a powerful factor for good.

The call of death came to our colleague just as he was completing the trip from the Interparliamentary Union, whose sessions had been held at Bucharest. At that conference he had striven for the development of a program that would look to the establishment of a formula under which a greater measure of teamwork would be possible among world powers and thereby a greater measure of peace and accord be attained among nations.

Others have spoken of the intimate details of the life of Mr. HALE. I have mentioned but briefly certain characteristics that appeal to me.

If I could in another word sum up qualities of our late colleague whose memory we now honor, I should include in those qualities kindness in all his dealings, sincerity in all his purposes, loyalty to his country, and I should include courage and resolution of soul, all of which blended into that fine attitude of approach with which he undertook every responsibility intrusted to his care as a member of the House of Representatives.

HARRY M'LEARY WURZBACH

Mr. KLEBERG. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following resolution of the San Antonio Builders' Exchange memorializing the services of my predecessor, Hon. HARRY M. WURZBACH:

SAN ANTONIO BUILDERS' EXCHANGE,
San Antonio, Tex.

Resolution

Whereas the Hon. HARRY M. WURZBACH has nobly served the people of San Antonio and south Texas as citizen, statesman, and friend; and

Whereas the Hon. HARRY M. WURZBACH, ever ready to answer the call of service, has acquiesced to the final great command, leaving this body politic bereft of a staunch admirer, counselor, and champion; and

Whereas the passing of this great statesman is an irreparable loss which only time, the great alleviator, may mend: Now, therefore, be it

Resolved by the board of directors and membership of the San Antonio Builders' Exchange, That we express our heartfelt sympathy to the bereaved family of this beloved champion in the loss which we share with them; and be it further

Resolved, That a copy of this resolution be spread upon the regular minutes of the records of the San Antonio Builders' Exchange in humble tribute to the achievements of the Hon. HARRY M. WURZBACH; and be it further

Resolved, That a copy of this resolution be extended in sympathy to the family of the Hon. HARRY M. WURZBACH and to the body of the House of Representatives of the United States Government, in which he so faithfully served the people of this great section.

WM. A. TURNER, President.
R. WM. ARCHER, Secretary.

Adopted at regular meeting board of directors San Antonio Builders' Exchange in meeting assembled Thursday, November 19, A. D. 1931.

I would like at this time to pay my lasting personal respects to the memory of my departed friend, HARRY M. WURZBACH. He was an able, conscientious citizen, beloved by

his friends, who were legion. He loved them well and served them in accord with the best that was in him while he acted as their representative.

PERCY EDWARDS QUIN

Mr. ELLZEY. Mr. Speaker, as the successor of the late PERCY E. QUIN, it is my privilege to bear testimony of the splendid record he made.

Throughout the entire seventh Mississippi congressional district PERCY QUIN was universally loved. For many years a public official, he was faithful at his post of duty. He prided himself in promptly responding to every call at the hands of his people. He was punctual and diligent in the discharge of all his duties.

PERCY QUIN was ever a loyal and staunch Democrat, and throughout his long years of public service he was a splendid leader, always advocating the Jeffersonian principles of Democracy. As I met and mingled with his many friends in the district he so ably represented, in every section I found many loyal and close personal friends of PERCY QUIN. His people loved him and forever enshrined in their hearts will be lasting and loving memories of the faithful service he rendered to his constituents.

As his successor in the Halls of Congress, I was the recipient of many courtesies because I had succeeded this beloved gentleman. Many Members from every section of the Nation have expressed to me their friendship and love for this splendid Mississippian. In truth, he was loved by Republicans and Democrats alike.

As a Member of Congress, for years Mr. QUIN was a member of the Committee on Military Affairs. He worked untiringly in sponsoring legislation that would result in the operation of the Muscle Shoals plant whereby the farmers of America would secure cheaper fertilizer. One of his colleagues said that PERCY QUIN literally wore out his life in behalf of Muscle Shoals.

Another colleague informed me that he always followed PERCY QUIN in legislation that affected agriculture and labor, because these matters were on his heart, and his judgment was good.

In the hearts of his fellow countrymen long will live the memory of PERCY E. QUIN.

Mr. McKEOWN. Mr. Speaker, when the news of the sudden passing of Hon. PERCY QUIN reached the ears of his colleagues there was a feeling of loss which crowded out all other thoughts.

"Percy," as we all called him, had the greatest insight into the effect of any piece of proposed legislation upon the masses of the people of any man in the House. It made no difference under what cloak it appeared, he was always able to measure its effect upon the "poor people." He was a safe man to follow, as his judgment was always sound.

When any vote was to be had we always knew that Percy would be found on the side of the folks as against special privilege.

Information that he was to address the House was all that we needed to fill the Chamber, and when he spoke he threw his whole energies into the effort.

PERCY QUIN was a leader, and many of his colleagues were saved from disaster by following his fine sense of justice and fair play.

He has gone, but few will ever take his place.

It is a melancholy task to lay a wreath of affection upon the grave of a departed friend. But it is fitting that we who knew him and watched with pride his brilliant career should here commemorate the many admirable qualities of that remarkably strong and attractive personality.

He was a sincere man, and an able Representative from his State, Mississippi, which has given many illustrious sons to the Nation, but none more true to his convictions than PERCY QUIN.

Mr. WHITTINGTON. Mr. Speaker, PERCY EDWARDS QUIN was born October 30, 1872, on a farm in Amite County, Mississippi, and died in the city of Washington on February 4, 1932.

His sudden departure brought personal and public sorrow. Genuine regret was never before quite so universal among the people of the district ably represented by him for 20 years. His death was a distinct loss to the State and Nation.

PERCY QUIN largely worked his way through school and college, and after finishing at Gillsburg Collegiate Institute in Mississippi he was graduated from Mississippi College, Clinton, Miss., in 1893. He taught school for a year and in 1894 began the practice of law in McComb, Pike County. He was an outstanding member of the Mississippi Legislature from 1900 to 1904. On October 1, 1913, he married Miss Aylett Buckner Conner, of Natchez, one of the most charming and accomplished women of Mississippi, who survives him.

He was elected a Member of Congress from the seventh district in 1912 and was continuously thereafter reelected. He was chairman of the Military Affairs Committee, one of the powerful committees of the House, at the time of his death.

PERCY QUIN inherited a good mind. He was a keen thinker and exerted a wide influence among his fellow men. He possessed the grace of common sense to an unusual degree. He knew human nature. He grew up among the people and was familiar with the hopes and aspirations of the common man. He had a unique and delightful personality.

He knew the people of his district, and they knew and trusted him. He occupied a large place in the affections of his constituents.

As a citizen he was a patriot and devoted to his country. He endeavored to discharge the debt that all owe to both State and Nation. He was attracted to public life and was always interested in public questions and political issues. He never dodged or straddled. He was always honest and sincere. He was ever jealous of the good name of the State and was always anxious for the progress and advancement of the people of the country. As a legislator he was loyal, faithful, and industrious. He was a good judge of men, of issues, and of measures. Successful in both law and business, he was successful as a Member of Congress.

PERCY QUIN was a devoted husband. His home was the happiest spot on earth for him. His wife was the joy of his soul.

He was a true and loyal friend. He made the cause of his friends his own, and he never lost a friend except by death. His cheerful and hopeful disposition made him exceedingly companionable. He was always welcome in any group. He would go to any reasonable length to help a friend. He was devoted to his friends, and his friends were devoted to him. He was very human. We, his colleagues, treasure his memory as an affectionate friend and as a faithful public servant.

Our departed colleague gave help to the poor, sympathy to the suffering, kindness to the downcast, and hope to the discouraged. Good and true men are God's best gifts to the world, but they are more than that—they are the agents and instrumentalities for help to mankind.

PERCY QUIN came to Congress on March 4, 1913, in the prime of his manhood. He was familiar with the problems of the people and he devoted himself exclusively to the public service the 19 years that he served in Congress. No district ever had a more industrious or faithful Representative. While familiar with military affairs and while chairman of one of the greatest committees of the House, his fame likewise rests upon his advocacy of measures for the benefit of the great body of people of the country. He never forgot the farmers nor the people of his district and State. He advocated all measures for the benefit of agriculture and rural life.

PERCY QUIN was a good man, but he was not perfect. None of us is. Man does not ripen by virtues alone. If it were so, the earth would be a paradise of angels. Man is like the growth of the earth and the fruit of the seasons; he is sown in dishonor and he is matured under all varieties of heat and cold. Man ripens as a result of various and varied experiences. He is matured by the joy of spring, the warmth of summer, the winds of autumn, and the chills

of winter. The good man, the great man, succeeds in spite of his mistakes and overcomes in spite of his errors.

But PERCY QUIN lived the good life of his time. He died in service. He went out in the full maturity of his powers and at his post of duty, a martyr to overwork. He was ill for awhile, but he was spared the wastes of long disease and the waiting in helpless idleness. "The set, gray life and apathetic end were spared to him." He passed away so quietly that none knew the moment of his departure.

And could we choose the time, and choose aright,
'Tis best to die, our honor at the height,
When we have done our ancestor no shame,
But served our friends and well secured our fame.

We shall see the face of our departed colleague no more, but the light of his life and usefulness of his service will remain with us. The world is better for his having lived and wrought, and his memory, like a rare perfume whose fragrance lingers, will long be cherished. His work is done; peace to his ashes and honor to his memory.

Mr. COLLINS. Mr. Speaker, nearly every Member of this House knew PERCY QUIN and admired and respected him as a rugged orator, an intrepid fighter, and an indefatigable worker for the principles he championed. He was more than that. PERCY QUIN's championship of the interests of the plain man was not that quality of lip service given for his own gain, but the honest expression of his inward convictions—the bubbling forth from that inner spring of his regard for his fellow man.

The two most outstanding traits of his Christian character were his abiding faith in God and a broad sympathy for his brother man. Even before he became a Member of this body he had served in public office with the same keen understanding of the rights and problems of other people and with the same urge to alleviate those wrongs and oppressions which beset them. Never vainglorious, he spoke to measures here only when he felt a keen right and justice in his position. So clearly was this the case that his utterances were freighted with sincerity and human kindness and carried with them the strength of a crusader's belief.

Soon after the blow fell upon him that forced him to his last sick bed, he expressed himself, not as rebellious nor impatient, but truly and humbly thankful to his Maker for sparing to him his mental faculties so that he might continue to use his influence for those he believed needed help. I never knew a man more big-hearted, more altruistic than PERCY QUIN. His life's pattern was fashioned so: "Love thy neighbor as thyself."

Mr. RANKIN. Mr. Speaker—

A prince once said of a king struck down:
"Taller he seems in death";
And the word holds good, for now as then
It is after death that we measure men.

It is after the passing of a public man that we take an unbiased inventory of his life's work and pass judgment upon the value of his private and public career.

Standing here "upon this bank and shoal of time" from which our distinguished colleague PERCY QUIN has passed, we pause for a moment to measure his mental and moral stature. As we do so, his proportions grow as his sterling qualities, his unblemished character, and excellent qualities of his public service are revealed.

Thomas Jefferson once said that there were only three questions to be asked of an applicant for a public office: Is he honest? Is he qualified? Is he faithful?

Measured by that standard, our distinguished colleague towers against a background of more than 20 years of service in this House. It was once said of Edmund Burke that men who did not have the patience to hear his speeches delivered invariably wore the record out reading them. The peculiar personal traits which Mr. QUIN invariably exhibited on the floor sometimes distracted the minds of Members from the real merits of his argument. But when reduced to cold type his speeches contained gems of eloquence and nuggets of wisdom that reflected a strong, overpowering intel-

lect backed up by a conscientious conviction and an unswerving devotion to the public good.

Conscientious to an extreme degree, with a keen, incisive intellect, with supreme moral and physical courage, and with an inflexible devotion to the public weal, he rendered a service throughout his long and eventful career that will carry his name on down to the generations yet to come.

His passing was a great loss, not only to the people of his district but to the Nation as well. He literally gave his life for his country's cause. The last speech he ever made, and one which hastened his untimely taking off, was against the cancellation of the foreign debt and laying upon the backs of the already overburdened taxpayers of America \$11,600,000,000, which they will have to pay if this cancellation is ever made. Every man, woman, and child under the American flag owes him a lasting debt of gratitude for that speech, from the physical effect of which he never recovered.

He is gone, but his memory will linger in these Halls for many a decade, and the effects of his public service will ever redound to the betterment of our common country.

His life was gentle, and the elements
So mix'd in him that Nature might stand up,
And say to all the world, This was a man!

Mr. JOHNSON of Texas. Mr. Speaker, the passing of Hon. PERCY E. QUIN removed from the membership of the House one of its leaders.

For nearly 20 years he represented the seventh congressional district of Mississippi, and, having served with him for almost 10 years, I can bear testimony to his ability, his fidelity, his courage, and his devotion to duty. He loved humanity, and the cause of the poor and oppressed he always championed.

He was a Democrat not only in name but in fact. Intrenched privilege and plutocracy he abhorred and consistently and vigorously opposed. Chairman of the great Committee on Military Affairs, his life was shortened by his fight to preserve Muscle Shoals for the people of the Nation and to prevent its exploitation by selfish and sordid interests.

Earnest and aggressive, he was an able advocate, and when he spoke the House never failed to listen. He had the zeal of a crusader, and never minced his words in driving home his conviction of what he conceived to be right. He had an originality of expression and a quaintness of speech and delivery that added flavor and force to what he said. The House lost one of its most popular orators when his eloquent tongue was stilled in death.

He was a true and loyal friend, and those on both sides of the aisle honored and respected him for his honesty, integrity, and splendid attributes of character.

His devotion to his wife was beautiful, and his success, both as a man and a legislator, was doubtless due in a large measure to the fine character and helpful cooperation of this noble woman.

The State of Mississippi lost a gifted son, the Nation an able legislator, and those of us who knew and loved him a real friend when PERCY QUIN passed away.

Mr. DOXEY. Mr. Speaker, PERCY QUIN was loved as few men are. When the sudden news flashed to the Capitol of his untimely passing we were all grieved beyond expression.

Only the day before I had been at his bedside in the hospital and I could hardly realize that my friend had joined the "innumerable caravan." As I hurried to the hospital and there found his friends and loved ones, my thoughts were that, although his voice was silent and he would be with us no more, his memory would always be cherished, his life be an inspiration, and his character worthy of emulation.

When I first came to Congress I sought his advice and heeded his counsel, as out of his rich experience and sound judgment he was always ready, able, and willing to aid the young as well as the old.

To-day, as we pay tribute to our departed colleagues, we can truly say, "PERCY QUIN was one of God's noblemen."

He was the proud possessor of that human touch that enriched the lives of all who were fortunate enough to come in contact with him. His deep insight into the human heart, his love for his fellow man, his faith in God and in humanity, his devotion to the cause of the people, combined with many other virtues, made him a true friend and an outstanding statesman.

He could put more wisdom in fewer words than almost any man I ever knew. Many times I have heard him give expression to such characteristic and unique philosophy as—

I like the man who stands hitched whether he is tied or not.

PERCY QUIN was truly that kind of man. He was noble, true, patriotic, courageous, and could always be depended upon to put "service above self."

Mississippi has lost another illustrious son, the Nation an able statesman, and the world a real man!

SAMUEL RUTHERFORD

Mr. MOBLEY. Mr. Speaker—

Let me live in a house by the side of the road,
Where the race of men go by—
The men who are good and the men who are bad,
As good and as bad as I.
I would not sit in the scorner's seat
Or hurl the cynic's ban;
Let me live in a house by the side of the road
And be a friend to man.

In the fall of 1924 in the little town of Forsyth, Ga., surrounded by a host of friends of his home town and county and many of the surrounding counties, SAMUEL RUTHERFORD stood upon the platform to which he had been conducted by his friends and quoted the lines above. He had just received the Democratic nomination to Congress from the sixth congressional district of Georgia, which meant his election to this honorable body.

The friends among whom he had lived and done his life's work up to that time well knew that those lines correctly expressed the man and his feelings, as his whole life had clearly exemplified his interest in the welfare of his fellow-man. First, as solicitor of the city court of Forsyth; later as a farmer, banker, and representative of the county in the State house of representatives and senate he had proven that he possessed the qualities of a good citizen. They knew his worth as a man, as a business executive, and as an officeholder. Having great confidence in him, they had exerted every effort possible to honor him with a seat in Congress which they so well knew he deserved, and which was by an overwhelming vote given him.

Mr. RUTHERFORD was born on a farm in Crawford County, Ga., May 15, 1870. During his early years he attended the public schools in the little town of Culloden, which at that time had school facilities much better than the average small community. Many of the leading men of Georgia came from Culloden and received their early training there. After attending Washington and Lee University and finishing in law at the University of Georgia Mr. RUTHERFORD moved to Forsyth, Ga., which was the county seat of the adjoining county of Monroe, where he spent the remainder of his life. I have often heard him tell of the trials of his early career, of amusing incidents that had occurred in the justice court of the county, to which his practice was almost entirely limited, due to the number of very able and active lawyers living in Forsyth at that time. However, industrious and intelligent as he was, it was only natural that he should gradually forge to the front.

He early exhibited an interest in public life and was first elected to the State legislature. Soon after that he married Miss Abigail Ponder. It has been laughingly told on him that he was first elected to office as a matter of necessity, since his election had been made the precedent to his marriage to one to whom he was deeply devoted and loved dearly. If his marriage was the result of success in his first political adventure, then surely this was the most fortunate and fruitful success of his life, for he secured a most loyal and devoted wife, one who always thought of him first and whose heart was with him in every undertaking. Mrs.

Rutherford was alone with him when he was so suddenly snatched away on February 4, 1932.

As vice president of the First National Bank of Forsyth, which position he held for many years, Mr. RUTHERFORD truly exhibited the inner man. Although the farmers of his community were fairly prosperous at that time, they, as a rule, operated their farms on credit. On account of his willingness at all times to cooperate with them and because of the further fact that they found him thoroughly honest and keenly interested in their welfare, he was able to gain their friendship and admiration, which he retained through all the years. Through his association with them and his own personal experience in farming, he became fully acquainted with their many problems; and when he came to Congress his interest in agriculture and in the welfare of the farming class in this country was fully demonstrated.

One of the most beautiful traits of his character was his friendship for people. Having been in public life and politics so long, it is only natural that he might have had some enemies, but I believe he had as few as any man I have ever known. Surely it can be said of him that while a man might have been an enemy to him, he was never an enemy to anyone. His very nature revolted against carrying prejudices against his associates. I have often heard him commend people whom he had found were inclined always to have something nice to say about others rather than criticize. He granted every man the right to his own opinion; and although he might differ, he assumed that those who did not agreed with him possessed the same sincerity of purpose as he himself. He was very sympathetic, easily approached, and quickly established close and lasting friendship with those who came in contact with him. He was so kindly disposed, so lacking in guile or deception, so honest and high-minded that his friendships through the years grew in strength and number until at the time of his death he was greatly beloved by the people of his district and State.

At the time of his death he had been in Congress about seven years; and until December, 1931, the Republican Party had been in power, but at that time the Democrats organized the House and Mr. RUTHERFORD became chairman of the Committee on Election of President, Vice President, and Representatives in Congress. For many years Senator NORRIS had endeavored to amend the Constitution of the United States so as to change the time of meeting of Congress and to abolish the short session. The Republicans in the House had prevented the enactment of this amendment, but within a very short time after Mr. RUTHERFORD became chairman of the committee of the House, the Norris bill, as it passed the Senate, was taken up by his committee. While the committee reported the Norris resolution, it was only after having substituted the text of a bill that Mr. RUTHERFORD had introduced.

Only the day before his death he had conferred with Speaker GARNER with the view of having his bill considered in the House, but death intervened, and he did not live to see the enactment of this law.

Since coming to the Congress in 1924, Mr. RUTHERFORD had been a member of the Committee on Immigration and Naturalization. He had shown a profound knowledge of the immigration situation in this country, had always supported legislation looking toward restriction of immigration, and had only a short time before his death introduced a bill providing for further restriction, which bill was reported by the committee after his death.

His quiet and unassuming manner, his sincerity of purpose, and his freedom from demagoguery had endeared him in the hearts of his colleagues. He realized that being a Democrat under a Republican administration, very little could be accomplished by him on the floor of the House, and it is a matter of record that he never took the floor until he really had something worth while to say and when he felt that something could be accomplished. Finding this situation and desiring to be of genuine service to his district, he lost no time in directing his efforts to those who needed his services. The great work he did for the veterans of all

the wars, and especially those of the Spanish-American War and World War, attracted not only the attention of his constituents but that of his colleagues in the House. Some might wonder why he gave so much of his time and devoted so much work to assisting the veterans, but when it is understood what a field of service this offered we easily realize why he interested himself in them. Through ignorance of the law and the method of procedure in the Veterans' Administration, a great majority of the veterans were not receiving that which was due them. Not only did he appear before the rating boards of the Veterans' Administration and make personal arguments in behalf of the unfortunate and disabled veterans of his district, but he gave to the Congress information which led to the correction of some of the evils of the law.

From April, 1929, until his death, I was intimately associated with Mr. RUTHERFORD as his secretary. During the sessions of Congress we had lived together in Washington, and when at home during the summer months we were associated together in the office, in canvassing the district, and I had the pleasure of accompanying him on practically every speaking engagement. I thus knew him at home, in his office, and in both public and private life. His home life was characterized by the same beautiful simplicity, sincerity, and devotion as we find in his public and official life. Although untiring in his efforts to serve others and free with his time for those who called on him, he was fond of his home and family and was most devoted to his lovely wife and two daughters. He was an upright and God-fearing citizen, possessed of a beautiful spirit and a sweet and unselfish disposition.

After his death, at the instance of his friends and mine, I became a candidate to succeed him as Representative of the sixth district of Georgia. My overwhelming election to Congress, as his successor, I must say, was due principally to the high esteem in which he was held by the people of our district. A truer demonstration of the love his people had for him could be found in the great throng that lined the streets of Forsyth to view with said hearts the passing of his remains to their final resting place. Surely such evidence of love and admiration as was exhibited on this occasion should prove a lasting consolation to his loved ones.

Truly no Representative ever commanded greater respect from his constituents than did Mr. RUTHERFORD. The sixth district of Georgia, the State of Georgia, and the whole Nation have suffered a great loss. He died at the height of his power and popularity, at his post of duty, while toiling for his fellow man, which I am sure is as he would have had it.

And could we choose the time, and choose aright,
'Tis best to die, our honors at the height,
When we have done our ancestors no shame,
But served our friends and well secured our fame.

Mr. Speaker, under the leave to extend my remarks in the RECORD I include a statement by Hon. WALTER F. GEORGE, as follows:

Three times death has invaded the ranks of the Georgia delegation in the Congress of the United States during the Seventy-second session. First, in point of time, the Hon. Charles G. Edwards, of the first Georgia district, was suddenly stricken. Second, the Hon. SAMUEL RUTHERFORD, of the sixth Georgia district, and the subject of these remarks, crossed quickly the "imperceptible frontier." Third, the Hon. William J. Harris, my beloved colleague in the Senate, after a long illness, borne with singular courage and fortitude, passed into the beyond. At a later day in the Senate exercises will be held in honor of the life, character, and public service of my late colleague.

SAMUEL RUTHERFORD was born in Crawford County, Ga. Like his colleague, Congressman Edwards, he was born and reared on a farm. He was the son of William and Julia Rutherford. He attended the public schools of Crawford County, studied at Washington and Lee University, and graduated in law at the University of Georgia. He engaged in the general practice of the law. His friends and neighbors, recognizing his peculiar qualifications for public service, thrice elected him mayor of his city, subsequently electing him solicitor of his local court, and three times called him to service in the legislature of his State and to one term in the State senate from the twenty-second senatorial district of Georgia. He was also a practical business man and his energies were devoted to banking and to agriculture as well as to the practice of law. In every field of enterprise and endeavor his efforts were marked by success. He was elected to the Sixty-

ninth, Seventieth, Seventy-first, and Seventy-second Congresses. In the midst of his service in the trying first session of the Seventy-second Congress, a Congress marked by fatalities in both House and Senate due to the extraordinary demands upon public officers, SAM RUTHERFORD was suddenly stricken down.

Early in life Mr. RUTHERFORD was married to Miss Abigail Ponder, who survives him. He was an ideal husband and father, and his devotion to his mother, who likewise survives him, eloquently proclaims the great tenderness and strength of his character.

In the Congress of the United States SAM RUTHERFORD was a true progressive. He did not indulge in loud speech and he held himself above the level of demagoguery. Nevertheless he believed in liberal and progressive measures. He was a stout and consistent advocate of constructive legislation. He believed in human progress. He was especially devoted to the interests of agriculture, and the veterans of all wars knew no truer friend in the Halls of Congress. The interests of his State and of his Nation were always placed above considerations personal to himself. To the people of his district, predominantly agricultural in character, he gave his first, best, and last devotion. He despised hypocrisy and cant. He was a genuine man. He liked the simple ways and habits of a sincere and honest constituency. He was content to serve. He did not court cheap publicity. He lived in the faith that honest service would be known and appreciated by those whom he loved and served.

During his first term in the Georgia Legislature, I had the pleasure of meeting SAM RUTHERFORD. From that day until the day of his death I knew him well and intimately. His whole life was wholesome, and those of us who were privileged to come within the circle of his personal friendship have the abiding confidence that we are better men from our association with him.

SAM RUTHERFORD's colleagues in the House bear testimony to his fidelity in committee and to his fearless advocacy of the worthy cause on the floor. Yet it is of him as a man that we love to think—as a son, as a husband, and as a father. He had a character free of guile. In his heart and soul sham and pretense were strangers. He was a worthy Representative of a worthy people.

As a distinguished son of Kansas said of the great Georgia Senator, Benjamin H. Hill, I may truly say of SAM RUTHERFORD: "Of all the dead whose obsequies we have paused to solemnize in this Chamber, I recall no one whose untimely fate seems so lamentable and yet so rich in prophecy as that of SAM RUTHERFORD. He had reached the meridian of his years. He stood upon the high plateau of middle life, in that serene atmosphere where temptation no longer assails, where the clamorous passions no more distract, and where the conditions are most favorable for noble and enduring achievement."

Mr. TARVER. Mr. Speaker, by death or retirement Georgia will have lost at the end of the Seventy-second Congress, during the life of that Congress, approximately half of her representation in our national lawmaking body. Their places will have been taken by men who, in the judgment of our people, are able to worthily fill their shoes; but those of us who have been accustomed to rely upon their wise counsel, seasoned by the experience of years of service, and have been bound heart-to-heart with them by the close ties of personal friendship, will sorely miss them.

Among all of our colleagues there was none who held higher place in the affections and respect of his fellows than SAMUEL RUTHERFORD. The same confidence which his constituents had in him soon communicated itself to the minds and hearts of those who came in contact with him in the performance of his official duties. No man ever questioned either his sincerity or his ability.

SAM RUTHERFORD was a specialist in his congressional work. He did not attempt to sway the Congress on every question which arose, and yet he exerted greater influence than many men who did. Active in his committee work, his influence on immigration legislation, which came from a committee of which he was a member, was probably as effective during the several years of his service as that of any Member of Congress; and there was certainly no field where wise and constructive statesmanship was more greatly needed.

Early in his congressional career he became impressed with the numerous injustices that have resulted from careless and inefficient handling of claims of World War veterans and their dependents, and with the fact that many of the most deserving of these, through lack of intelligent assistance, failed to secure rights and benefits to which they were entitled, and which others, oftentimes not so deserving, had no difficulty in obtaining. He resolved to give to these veterans and their dependents the utmost benefit that the most diligent effort on his part could secure for them. In doing so, he voluntarily assumed a tremendous burden, a burden

which many Congressmen shift to the shoulders of their clerks or allow to go unattended to. He personally represented thousands of these veterans, helping them with their evidence, attending hearings, and arguing their cases, and obtaining for them hundreds of thousands of dollars in benefits they would not otherwise have received.

In addition, he was the staunch advocate on the House floor, whenever occasion demanded it, of the rights both of Spanish-American War and World War veterans. As I have said, he was a specialist. He did not neglect his legislative duties. No Member of Congress during these years that he served has a more honorable record of legislative service than SAM RUTHERFORD, and that record, like the work that he did for his constituents, demonstrated beyond question the outstanding fact in his life—he always liked to take the side of the under dog, and his votes and his efforts were always on the side of the common people.

We shall miss him here—miss his sunny smile, his friendly greeting, as well as his wise counsel and cooperation. But we shall not miss him as much as those many thousands of people, white and black, who stood in massed lines for miles along the roadside on that February day when we carried his body through the little city where he lived to its last resting place, nor other hundreds of thousands of Georgians who could not be there, but who loved him none the less.

Mr. VINSON of Georgia. Mr. Speaker, on the morning of February 4, 1932, the death angel invaded our ranks and took from our midst the Honorable SAMUEL RUTHERFORD. He died in the midst of his labor, like a soldier at the post of duty.

SAM RUTHERFORD was a true Georgian, a descendant of a historical Georgia family; he was a true representative of the people. He loved the people of his State and district—all of them—and he was never better satisfied than when working in their service. And that love was reciprocal, for no member of the Georgia delegation had the love and respect of his constituents more than did SAM RUTHERFORD.

The son of William and Julia Rutherford, of Forsyth, Ga., he attended the common schools of his State and received his academic college training at Washington and Lee University in the State of Virginia, whence he returned to his own State university, where he graduated in law in 1894.

Mr. RUTHERFORD's first public service was as mayor of his native city—Forsyth. He was honored with this office for three consecutive terms. His political rise was a steady march up the ladder of public service and political success. The consistency of his success and advancement was but an index of his qualifications and ability, and an appreciation for the quality and loyalty of his service. He was next made solicitor of the city court, and from there he was promoted to representative in the General Assembly of Georgia, where he served three terms, one as State senator from his senatorial district.

In 1924 the people of the sixth congressional district saw the need of his services and sent him to the Sixty-ninth Congress. He was reelected to the Seventieth, Seventy-first, and Seventy-second Congress and was serving the eighth consecutive year as Representative from his district when his work was cut short.

In seeking testimonials to SAM RUTHERFORD's popularity, the seriousness of his application to duty, no matter how great or small, to his devotion to public service, to his loyalty to his country and his constituents, one needs only to go among the people of the sixth Georgia district. There the veterans of the World and other wars, the farmers, the laborers, the common people in every walk of life, the bankers, business and professional men and women of the towns and cities will all testify with a quick beating of their hearts and tears in their eyes of their love for and devotion to SAM RUTHERFORD—a true representative of his people—his memory will live forever in their hearts.

I know that no other man was closer to his people or realized their suffering and plight during these trying times more than did Mr. RUTHERFORD. It was his anxiety for their

welfare, the seriousness with which he devoted himself to the problems of government in an endeavor to aid and relieve them, and the resultant strain and worry of his heavy work and efforts in their behalf that brought about his physical breakdown last summer, and finally his death in February of this year.

Dying at the age of 61 in the prime of life, at the height of his ability, usefulness, and life experience, SAM RUTHERFORD was truly a victim of this tragic era.

He was a happy man, satisfied in his life work of serving his fellow man, seeking and finding joy and peace in the bosom of his family and his people. He was prepared to meet his Maker, and prepared to answer at the judgment bar of eternity. Death being almost instantaneous, coming like a twinkling of the eye, it found him ready, for

He had so lived that when his summons came to join
The innumerable caravan which moves
To that mysterious realm where each shall take
His chamber in the silent halls of death,
He went not, like the quarry slave at night,
Scourged to his dungeon, but, sustained and soothed
By an unfaltering trust, approached his grave
Like one who wraps the drapery of his couch
About him, and lies down to pleasant dreams.

Mr. LANKFORD of Georgia. Mr. Speaker, sad indeed was the news received on the 4th day of February last that Hon. SAMUEL RUTHERFORD, of the sixth congressional district of Georgia, had suddenly died at the Hamilton Hotel in this city.

Appearing in splendid health on the previous day, he mentioned his good physical condition and talked of the legislative program he hoped to help put over in the immediate future. In fact, he was preparing to return to the Capitol for another day's labor when the divine call came for a journey to "that undiscovered country from whose bourne no traveler returns."

As chairman of the Committee on Election of President, Vice President, and Representatives in Congress, he had just reported the House resolution bearing his own name, submitting an amendment to the Federal Constitution providing that after each general election of Members of the House the next session shall be organized by the newly elected Members instead of the old, as is now the case. This had long been a highly controversial question and Mr. RUTHERFORD was most happy that he was called to act so important a part in its proper solution. In a very few days after his death the resolution, still bearing his name, was taken up and passed both Houses and was signed by the President.

It will no doubt be ratified by the required number of States and become a part of the Federal Constitution. It will remain as an everlasting and most splendid monument to Mr. RUTHERFORD and Senator NORRIS, the author of the resolution in the Senate.

Mr. RUTHERFORD's death was sad in the extreme, because he was so suddenly taken away just as he was about to see, as the results of his earnest efforts, the full fruition of the greatest legislative victory that can come to any Member of either body of the Congress, the writing into the Federal Constitution of a great popular fundamental amendment. It is given to only a very few of our Nation to write with their own hand an important, everlasting part of our people's great charter of liberty.

His death was sad not only because he already had done this great work and died just as he was receiving the acclaim of a gratified people but also because, having served comparatively so short a time, he had planned and was in the midst of an additional great legislative program on which he was working for his people.

The plans, details, and specifications were on the trestle board, the working tools were on every hand and ready, the machinery was being installed, as the master builder was called to a higher and better, everlasting service and mission. And yet, Mr. Speaker, none of the splendid service of SAMUEL RUTHERFORD is lost. God gathers up and saves for all humanity through all eternity the golden grains of such greatness and nobleness.

He was in every way a noble, splendid man. He was honest, capable, fearless, and a true representative of his people.

Mr. Speaker, during the first 12 years of my service here only two of my colleagues passed into the great beyond.

First, I went to Georgia with all that was mortal of the late Senator Thomas E. Watson, of Georgia, and saw him returned to mother earth at Thomson, Ga. Several years later I left in Washington in apparently good health my good friend Hon. Leslie J. Steele, of the fifth Georgia district, only a few days later to be notified of his passing and to attend his funeral at Decatur, Ga., where I saw him for the last time until the great awakening.

Now, during the last 12 months, I have been notified of the death and attended the funeral of three of my beloved colleagues.

First, Hon. Charles Gordon Edwards, of the first congressional district, who was buried in Savannah; next, Hon. SAMUEL RUTHERFORD, who was buried in Forsyth; and, last, Senator William J. Harris, who was buried recently in Cedartown.

When sorrows come, they come not single spies, but in battalions.

Three nobler, truer friends of mankind never lived. Their work is imperishable. It will last as long as yonder sun shall shine.

Mr. CRISP. Mr. Speaker, SAM RUTHERFORD was my friend, and because I loved him I desire to pay this tribute, however inadequate, to his memory.

He came quietly among us, his gentle spirit moved through the Halls of Congress for but a few years, then took sudden flight to the Great Beyond, but even in so short a season his colleagues came to know and love him well. It was easy to know him and, knowing him, to love him. His nature was of such fine human and friendly quality that even at first meeting one could not regard him as a stranger. Instinctively one felt the impulse to call him "Sam."

In the House he was never assertive, but his colleagues came early to know and respect his quiet strength, to recognize his political and legislative acumen, and to rely upon his judgment.

While there was nothing aggressive about his gentle nature, he stood and fought unswervingly for the right as he saw it. He was indefatigable in his efforts for the betterment of his district and spared no pains to accomplish a just end. Thousands of World War veterans loved him and acclaimed him their champion, and thousands of his constituents mourned his passing.

SAM RUTHERFORD was a man of deeply religious conviction, a conviction his life abundantly exemplified. He was ever calm in the consciousness that a divine guidance could not lead him astray, with him it was instinctive "to do justly, to love mercy, and to walk humbly with his God."

We loved him, but God called him with "one clear call," and he went home. He has left us, but his calm influence will linger long in the memories of the many who loved him.

It was my sad privilege to attend the last sacred rites at his home in Forsyth, Ga. Rarely have I seen such overwhelming evidence of the loving affection of hosts of friends. He lay amid such floral profusion that it seemed as if the good deeds and beauty of his life had blossomed forth to pay him final tribute.

Rev. Robert L. Bivins, his friend and pastor of many years, said of him on this sad occasion:

SAM RUTHERFORD needs no eulogy at my hands. His life is more eloquent of his sterling worth than is anything that can be said about it. His life is an open book known and read of all men, and there is absolutely nothing in that book that would make him or any man ashamed.

I am sure that those who knew him best admired him most and loved him best. Doctor Chamblee has spoken of him as a tried-and-true friend, and I know that he voiced the sentiment of this vast company of people gathered here to pay this last tribute to his memory. Could you speak I know that every one of you would say, "I have lost a friend."

It has been my privilege to know SAM RUTHERFORD intimately for the past 15 years. During eight years of that time I was his pastor, and I am sure that no man and no pastor ever had a better friend. Were I to undertake to name a single trait of his character which was outstanding, I would without question say that it

was his dependability. He could be depended upon in all relations of life. His word was his bond, and his life was given in the service of others. He was a man who took life's responsibilities seriously. There was nothing flippant or light in his make-up, and he gave to every task—whether great or small—his best.

As a man he was honest and upright. As a citizen he stood for righteousness. As a public servant he was conscientious and faithful. As a Christian he was genuine and sincere and without sham or hypocrisy or pretense.

He died at his post of duty, and I am sure that the influence of his life will continue to live and bless the world for all time to come. The Good Book throws light upon such a life in the wonderful statement—

"I heard a voice from Heaven saying unto me, Write, Blessed are the dead which die in the Lord from henceforth: Yea, saith the Spirit, that they may rest from their labours; and their works do follow them."

The influence of SAM RUTHERFORD's life goes on and on in the world, with ever-increasing rewards in the world to come.

Mr. McKEOWN. Mr. Speaker, one of the most pleasant and lovable men that ever graced the Hall of Representatives was the Hon. SAMUEL RUTHERFORD. He soon won the affection and esteem of his colleagues and discharged his official duties with efficiency and courage.

His last labors were spent upon the so-called "lame-duck" amendment to the Constitution, which passed both Houses shortly after his leaving.

It can be said of him with absolute truth that selfishness was not in him. As in private life so in his public career, the noblest altruism governed his every act. His protestations of solicitude for his people were not mere lip service; they came from the heart. Every one of his constituents had an ever-present claim upon his services. This service was rendered freely, ungrudgingly; not from any sense of obligation, personal or political, but because he loved to help and do kind deeds. "I serve" was the motto which ruled every moment of his life.

As a Member of the House of Representatives he bore himself modestly but with firm adherence to principles he had established and convictions he had formed. His voice and his vote were untrammelled. Flattery and applause he heeded little, and censure did not move him.

He was a real representative of the people of his State. His wise counsel will be missed in the House and his loss will be felt by his State and the Nation.

His name will be cherished by his friends in Washington and at home.

Mr. RAMSPECK. Mr. Speaker, as we pass through this life we find men noted for various traits of character. Some men are noted for their brilliant mental attainments, some for their ability in public speaking, some for their devotion to duty.

SAMUEL RUTHERFORD was known and loved by those who knew him for his sincerity. His constituents and his colleagues in this House had come to know that his word was as good as any bond; that you could always depend upon what he told you; that he was incapable of anything except frankness and fair play.

To lose such a man is indeed a great loss, not only to the Congress and the Nation but particularly to his friends, both here and in his district. It was such a loss that we sustained when Mr. Rutherford passed away.

It was not my privilege to know him for many years, but in the short time during which I was permitted to associate with him in this House, I came to appreciate his fine qualities and especially his sincerity.

He was not given to oratory, but was a tireless worker for his people, always dependable, always concerned for the general welfare. It is fitting that his last work in Congress brought to final enactment the "lame-duck" amendment to the Constitution. This will go down through the ages as an enduring monument to our friend and colleague.

There are thousands of veterans of the World War who have every cause to revere his memory. His efforts in their behalf were given without stint and he made no effort to capitalize his devotion to their interests.

I deeply sympathize with his family and the host of friends who mourn his passing.

Mr. HARE. Mr. Speaker, it was not a mere incident when I came to Congress in 1925 to soon form the acquaintance of Hon. SAMUEL RUTHERFORD, who was also a new Member of Congress, for he had a disposition that naturally attracted those having their first experience in the House of Representatives. In addition he seemed to have a certain studied consideration for all with whom he came in contact. He was courteous, gentle, and extremely considerate of the feelings and wishes of his friends. Upon further acquaintance I recognized him as a man of ability and discriminating judgment.

It is not surprising, therefore, that I should soon consider him a most valuable friend and would often consult him upon matters of legislative importance. Seldom did he err in drawing proper conclusions in such matters when the facts had been fully presented. He was courageous in the discharge of his every duty. He had clean, clear-cut convictions as to the obligations of a Member of Congress to his constituents, and he did not hesitate to discharge them with fidelity and honor.

As result of my close friendship, I discovered that his election to Congress was not by chance, but because of the recognition of his ability and the confidence imposed by his constituents, for he had filled various positions of honor and trust prior to being elected to Congress. He had served three consecutive terms as mayor of the city in which he lived. He was elected to his State legislature for three consecutive terms and then served in the State senate for one term, being elected to Congress immediately following.

My observation and experience since coming to Congress is that very few men, if any, are elected to this great legislative body by accident. In practically every case you will find that the Members have one or more, and very often many, outstanding accomplishments and qualifications. As a rule they are men who have demonstrated their ability and succeeded in their chosen vocations. More often they are men of a sympathetic disposition, interested in the welfare of their fellow man and anxious to contribute in any way possible to those agencies or factors designed to promote the success and happiness of mankind. SAM RUTHERFORD was not an exception. He not only possessed all of the qualifications suggested, but he was consistent day after day in his efforts to render the greatest possible service to the people of his district, who held him in the highest admiration and esteem.

In paying my humble tribute to the high and noble qualities of my friend and colleague Mr. RUTHERFORD, I do not feel like closing without saying that I consider myself fortunate in having been afforded an opportunity to be thrown so closely to his life, for I am sure that this association has been an inspiration to me in my efforts to render faithful and conscientious service to my constituents.

Mr. LARSEN. Mr. Speaker, SAMUEL RUTHERFORD was my friend, and for him I entertained a high regard and sincere friendship. I first knew him as a member of the Georgia Legislature in 1909, but our intimate acquaintance began when he entered Congress in 1925. Our districts adjoined, our people had similar interests, and we found much opportunity to work together. He was one of those men who live and die for an ideal and for a principle. I soon saw he was one who dedicated his life to an eternal principle and consecrated all desires, all longings, all affection, and all love upon that principle.

Mr. RUTHERFORD had begun the practice of law in the little town of Forsyth, Ga., just after graduation and admission to the bar in 1894. While law was his profession, he had banking and agricultural interests also. Forsyth is a locality where the individual studies the man who represents him in the law, in business, and legislative matters, and SAMUEL RUTHERFORD built a tremendous following by the service he rendered these people. After representing them in the capacities mentioned, he was elected to the State house of representatives, to the State senate, and later to this National Congress.

When the general assembly redistricted the State of Georgia last summer in accordance with the reapportionment law, whereby Georgia was to lose two Representatives, SAM RUTHERFORD, CARL VINSON, and I were put in a district together. Mr. RUTHERFORD was ill in a hospital at the time, but as soon as he had recovered sufficiently to take up his work, he wrote me a very lovely letter concerning "our then supposed candidacy" for Congress from the new district. If we were to seek reelection to Congress, we would necessarily have to oppose each other. Five counties from his old territory were included in the new district, whereas only four of my old ones had been left therein, with six from the old tenth, represented by Mr. VINSON. Sam wrote, "I am sending you my registered voting lists for the counties which I have, because I know you will need them * * *." Such generosity was a mere part of his nature. On several occasions he suggested that we both speak at the same meeting—if he had the invitation, he would arrange that I receive one also. No stronger evidence of unselfishness could have been manifested, and when we reflect just how much was personally involved, it is even more appreciated.

When SAMUEL RUTHERFORD's "little journey" was abruptly terminated and he lay down his life to embark on his eternal voyage, I do not believe he went unprepared, despite the suddenness of his call. For he was a man who lived life conscientiously, pouring into each day all the vigor and beauty that emanated from his noble character. Just one month before his death a member of the Georgia delegation paid Mr. RUTHERFORD the following high tribute, as fine an indorsement as can be given any person, in my estimation. He said, "Sam's word is as good as his bond. He has never been known to go back on it."

Mr. RUTHERFORD was a gentleman of the highest type. He was not a mere politician. Instead he possessed statesman-like qualifications, which combined with dignity and fair play won the respect of all who knew him. In truth, he builded his house of life upon the Golden Rule: "Do unto others as you would have them do unto you." Surely it is fitting that we should continue to think of him in the language of that beautiful epitaph which Benjamin Franklin wrote for himself:

The body of Benjamin Franklin, printer, like the cover of an old book, its contents torn out and stripped of its lettering and gilding, lies here food for worms; yet the work itself shall not be lost, for it will, as he believed, appear once more in a new and more beautiful edition, corrected and amended by the Author.

Mr. DICKSTEIN. Mr. Speaker, I rise to pay honor to the memory of our colleague and my fellow committeeman, the gentleman from Georgia, Hon. SAMUEL RUTHERFORD.

Shortly after he was seated as a Member of this House of Representatives I was one of the Committee on Immigration and Naturalization to greet him upon his election to membership on that important committee, and from that time until his untimely death we stayed side by side in seats next to each other at the table of that rather controversial committee.

During the time we sat together on the minority side of the committee table, Mr. RUTHERFORD impressed me with his legal and legislative ability, with his understanding of the human elements involved in subjects incorporated in bills considered by our committee, and with his sincerity of purpose to do what he could to legislate wisely.

We advanced together in succeeding sessions and Congresses toward ranking positions on the Democratic side of the committee table, sharing the small successes and the setbacks of minority Members through the Seventy-first Congress, and I grew to respect his cooperation and his judgment on all matters which involved the human justices in our restrictive immigration policy.

When the current session of the Seventy-second Congress opened, and I was honored with the Democratic chairmanship of this committee, I felt encouraged by the thought that my arduous duties as chairman would carry also sympathetic, and just cooperation from Mr. RUTHERFORD sitting

at my side as the ranking Democratic member of the committee.

While we labored together on the majority side of our committee from the middle of December, 1931, through January, 1932, and indeed up to the evening of February 3, 1932, I continued to feel his cooperation in solving the inconsistencies and the inhuman features of immigration restriction and the maintenance of just naturalization measures.

In fact, the untimely death of Mr. RUTHERFORD prevented the consideration of a bill which he had introduced and upon which this committee had set a date for a public hearing, and I was shocked beyond expression when informed that he had died suddenly on the morning of February 4. Just the night before, we had conversed regarding the humane and highly desirable features of the bill we were about to consider in committee.

In retrospect, I can not help but feel that the sudden taking from our midst of our colleague, SAMUEL RUTHERFORD, almost at the peak of his career, has deprived our committee of a wise counselor, this House of a constructive legislator, his native State of a logical Representative in the National Legislature, his host of friends wherever his activities had taken him a sympathetic confidant and advisor, and his more intimate friends and nearest relatives a companion and inspiration in every-day contacts and activities.

In closing, may I trust those members of his innermost home circle may be consoled by the consciousness that SAMUEL RUTHERFORD has left behind with them a heritage of honorable service to his profession, to his city, to his State, to his Nation, to his friends, and to his family, and that his death found him in the midst of duty not yet completed and still striving toward accomplishments hoped for.

Mr. WRIGHT. Mr. Speaker, it would do violence to my tenderest emotions and sentiments and the best instincts of my nature if I should allow this opportunity to pass without paying a tribute to my departed friend Hon. SAMUEL RUTHERFORD, who so ably and acceptably represented the sixth congressional district of Georgia from the time of his election to the Sixty-ninth Congress to the date of his untimely passing.

He was tender-hearted, affable, and genial, and loved his fellow man. He was never happier than when rendering them effective and real service. Many pages might be occupied in recounting his charitable acts and deeds of kindness and helpfulness.

He was a civic leader and deeply interested in the advancement and well-being of his city, county, State, and country. He was also a tower of strength in his church and in the realm of true Christian religion. He always displayed a keen interest in political affairs; served his city as mayor for three consecutive terms; was solicitor of the city court of his county; was three times elected to the Legislature of Georgia, and served one term as State senator from the twenty-second district of Georgia.

He was a lawyer of pronounced ability and made his clients' cause his own.

He had great sympathy for the ex-service men of the World War, as well as the veterans of all our wars, and perhaps no Member who ever served in Congress from Georgia was more untiring in his efforts in the aid of these veterans and their dependents and accomplished more for them.

One of his notable achievements during his service in Congress was the passage, just before his death, of a joint resolution proposing an amendment to the Constitution of the United States fixing the commencement of terms of President and Vice President and Members of Congress, and fixing the time of the assembling of Congress. This was essentially the Rutherford resolution, and he ably championed it and it was under his leadership it was passed.

In the death of my friend his community, district, State, and Nation have sustained a distinct loss.

Mr. COX. Mr. Speaker, I would not like this session of the Congress to pass without writing into the permanent RECORD something of the personal appreciation and esteem

that I held for my devoted friend the late SAMUEL RUTHERFORD of Georgia. We came here as Members of the Sixty-ninth Congress and served together continuously up until the beginning of the present session, when he was suddenly and unexpectedly taken away. To me his death meant more than the passing of the ordinary or casual friend, for there was nothing of the ordinary or casual in the friendship that we had formed. He was probably my most intimate associate in this splendid group of men, and I grieve that the bond of love that bound us together had to be broken and that he had to surrender the commission which the people of his congressional district had proudly and repeatedly given him and which he faithfully sought to merit and did merit by giving himself to the public service without stint and without limit.

Death overtook him in the prime of life and in the midst of the performance of his arduous labors, but not before he had made a record of which any man might well be proud. He loved his country and all that has made it great, but his chief concern was in the shaping of public laws in such manner as to insure equal justice for all, the raising of the obscure and underprivileged to the level of joint participation in the benefits of government.

He came here well prepared for congressional service. His interest in life had been varied. As a lawyer, banker, farmer, and legislator his splendid talents were well experienced and disciplined and these he devoted with great zeal to the public business of the country with resultant good to the common mass of men.

Early in his service he became the outstanding champion of the cause of the veteran and his family. Not that he sought to impose upon the country any unjustifiable and unbearable burden, but that he demanded that justice should be the portion of all. And in this behalf he promoted many changes which broadened and liberalized all veteran legislation. For this work he won the plaudits of his colleagues and the country and will be ever remembered with a feeling of deepest affection by the soldier and his dependents everywhere.

By nature he was generous, gentle, and forgiving, but in the prosecution of undoubted wrong he was militant and uncompromising. His friends were legion—all who knew him loved him. As a clean and high-minded Christian he daily practiced his religion in the doing of countless deeds of good. There was not a vestige of meanness in his make-up, no envy, no malice, but a sympathy and affection for all. He was a cultured gentleman, a devoted husband and father, a sincere friend, and a loyal servant of the people. He was a man who made life better at every point where he touched it. In his death his country lost one upon whose unerring opinion and well-seasoned judgment it could well depend. May his sweet tolerance and kindly nature be long remembered, and the influence of his exemplary life go marching on.

ALBERT HENRY VESTAL

Mr. HOGG of Indiana. Mr. Speaker, in the untimely death of ALBERT H. VESTAL the State of Indiana has lost a distinguished son. The Nation has been deprived of a capable and courageous public servant.

Congressman VESTAL was a typical American. Reared on a farm, he became at an early age a steel worker in order to more rapidly obtain funds for his education. He completed a university course and was admitted to the practice of law at 21 years of age. Marked ability and hard work soon placed him in front rank with Indiana's best lawyers. Before he was 30 he had three times been elected a district attorney in Indiana. Eight times he was elected to the Congress of the United States.

Our colleague merited and enjoyed the confidence of everyone. In the House of Representatives his ability was quickly recognized by his associates. He was repeatedly elected whip of his party without opposition. As chairman of an important committee, he was the author of extensive legislation of national significance.

He served his constituency with vigorous devotion. No request was too small to receive his personal attention. His

energetic work, his fine moral character, his characteristic genius for friendship have given him a permanent place in the affection and memory of his colleagues.

We are proud indeed to have been associated in service with him. His singleness of patriotic purpose will ever spur us on to a greater and nobler effort.

What an unknown poet has said may well apply to Congressman VESTAL.

The period of life is brief;
'Tis the red of the red rose leaf;
'Tis the gold of the sunset sky;
'Tis the flight of the bird on high.
Yet one may fill that space
With such an infinite grace
That the red will tinge all time,
And the gold throughout the ages shine;
And the flight of the bird will be swift and straight
To the portals of God's own gate.

Mr. PURNELL. Mr. Speaker, in the passing of our former colleague ALBERT H. VESTAL this House has lost one of its most beloved and valuable Members. His death leaves a vacant place in the State of his nativity and in the hearts of his friends that can never be filled. His popularity was not confined to the members of his own party but was general. The high esteem in which he was held by all Members, regardless of party, was richly deserved because of the fair and friendly manner in which he met, without exception, his many duties. I dare say no Member of the House during his service had more real genuine friends than BERT VESTAL.

He served with distinction and signal effectiveness for many years as his party's whip. Although that purely political office frequently necessitated sharp clashes with the opposition party, he always so conducted himself and his office as to leave no feeling of personal animosity.

Not only has this House lost a valuable Member, but his district, State, and Nation have lost a faithful public servant. There are, of course, varying degrees of service rendered by Members here, but I believe it can be truthfully said that no district in the United States was better represented than his. No man in the House, during his service, gave more unselfish attention to the demands of his constituents than he. No matter was too small, no constituent too insignificant to swerve him from his known policy of giving personal attention to every matter brought to his office by the people of his district. It was this constant application to duty and his desire to take care of the multitude of demands made upon him that contributed largely to his untimely death. BERT VESTAL died in the service of his country just as much as if he had fallen upon the field of battle. He was not only devoted to the people and the interests of his district and State, but he was in like measure and with equal fidelity devoted to his country. Those who come after him, however capable they may be, will find in his record a high standard to excel.

To me his death meant more than the loss of a colleague. He was my personal friend. Our districts in Indiana not only joined, but we entered Congress together in 1917 and served together continuously until his death. My almost daily contact with him during that period gave me a true insight into his character. I was always proud to claim him as a friend and delighted to share with him the innumerable troubles and worries incident to our jobs about which, unfortunately, our constituents know little. His genial personality and radiant optimism often helped to smooth out what seemed to be unsurmountable barriers. His service was an inspiration to us all and will remain as a pleasant memory forever.

I join with his colleagues in expressing to his family, as well as the good people of his district, the sorrow and sympathy which we all feel. They can take comfort in the fact that he performed with fidelity and devotion that which it was given him to do. While he is no longer with us in person, he will remain with us in memory and spirit as long as we are permitted to live.

Mr. LARRABEE. Mr. Speaker, I wish to pay a tribute of respect to the memory of our deceased colleague Hon. ALBERT H. VESTAL, of Indiana.

In the death of Hon. ALBERT H. VESTAL his State and Nation have lost a patriotic and loyal public servant, his district a conscientious and tireless worker, his family a devoted husband and father.

I can not say, I will not say,
That he is dead—he is just away!
With a cheery smile and a wave of the hand,
He has wandered into an unknown land.

And left us dreaming how very fair
It needs must be since he lingers there,
And you—oh you, who the wildest yearn
For the old-time step and the glad return.

Think of him faring on, as dear
In the love of there, as the love of here.
Think of him as the same, I say,
He is not dead—he is just away.

—James Whitcomb Riley.

Mr. REED of New York. Mr. Speaker, in the death of Hon. ALBERT H. VESTAL, of Indiana, the Nation lost a great and good man. For eight terms he served the people of the eighth district of Indiana with fidelity and distinction. He was loved, respected, and esteemed by his colleagues. A fearless and able fighter for every worthy and just cause, he was at all times fair and courteous to those who opposed or differed with him. He was unremitting in his toil for those whom he had the honor to represent; the soldiers, the toiling masses, the unfortunate, the widows and orphans, and every child had in him a true and loyal friend.

"Bert," as he was affectionately called by his colleagues and his constituents, was a man of perpetual sunshine and good cheer; he was a man among men and a boy among boys. These charms, coupled with unusual ability, made him a leader and placed upon his shoulders heavy legislative burdens and responsibilities. His legislative record is one of conspicuous achievement. The Nation can ill afford to lose the influence and service of such a man in public life.

Much as we his colleagues miss him and mourn his loss, we rejoice that he left to his Nation, to his State, and to his family the priceless heritage of a good character and a good name.

Mr. BURTNESS. Mr. Speaker, in the death of ALBERT H. VESTAL, late a Representative of the State of Indiana, the country lost a devoted servant and I one of my dearest friends.

I leave to his colleagues from Indiana the task of detailing his public service.

For several years Mr. VESTAL served as Republican whip in the House of Representatives. No new Member arrived here without appreciating the kindly and courteous way in which he was treated by Mr. VESTAL. I know from experience and observation that he attracted men to him and inspired confidence wherever he went.

Mrs. Burtness and I have been entertained in the home of Mr. VESTAL and his splendid wife at Anderson, Ind. There they were both loved by their neighbors just as they were in congressional circles in Washington. This is not strange, for none could be more hospitable, more friendly, or more helpful in time of need. They never considered their own comfort or convenience when there was an opportunity to serve others.

Mr. VESTAL was devoted to his wife and two children. To them the hearts of a legion of friends overflowed with loving sympathy in their sudden bereavement. They have the comfort not only of knowing that as a citizen he served well his community, State, and country but also a host of the finest recollections of him as an ideal husband and father.

On Sunday, April 3, 1932, we laid away his mortal remains in the soil of the State of Indiana which he so dearly loved. The beautiful and impressive tribute paid him by thousands of neighbors, friends, constituents, colleagues, and men and women in official life in the State and Nation was a scene

I shall never forget. It will always remain an inspiration to those who witnessed it to render, as he did, faithful and conscientious service.

Blessed be his memory.

Mr. LEA. Mr. Speaker, I came to Congress the same year as our late colleague, Hon. ALBERT H. VESTAL. Shortly our acquaintance ripened into a friendship which these years of contact in and out of Congress cemented into confidence and affection. We had 15 years of friendly contact without a jarring note and, so far as I know, without an ill wish to mar the memory of that friendship.

BERT VESTAL, as we all preferred to call him, was a good Congressman. He was loyal to his people. He had a commendable sense of responsibility to his country; a desire to serve her best interests. He was attentive to his duties. He measured those duties with a keen, wholesome judgment with which a life of broad contacts and, above all, a thoroughly human sympathy had endowed him.

This is not the place for presentation of the details of his work in Congress. The printed page can give no adequate portrayal of the good, wholesome character and qualities of BERT VESTAL. Those qualities will be fully appreciated only by those who knew him by contact and who shared his confidence and friendship.

A man may be a good Congressman and well serve his country and thus deserve the appreciation of his fellow men, but that career would be in vain without the qualities that establish him as a real man among his fellows. Our colleague had the qualities that bring out our most cherished commendation. To an unusual degree he was sincere in all his relations, political and personal. Loyalty to his friends was as natural to him as his own existence. His heart responded in sympathy to every misfortune. An injustice or wrongdoing, particularly to the weak and helpless, would instinctively bring his most courageous opposition and condemnation.

An important part of the life of BERT VESTAL was the sympathy, understanding, companionship, and affection of his splendid wife, who so wonderfully shared his life in all its phases and gained with him a place in the affection of all his friends.

Mr. CHINDBLOM. Mr. Speaker, I shall not dwell on the distinguished public service to his constituents and to the country of my late colleague and friend the Hon. ALBERT H. VESTAL; nor shall I speak of his valuable contributions to the success of his political party and mine, the Republican organization, as a campaigner in hard battles, or as the whip of his party in the House. Neither shall I refer, except in passing, to his delightful personal charm as an entertainer, or even as a performer of merit when he gave his friends ample proof of his histrionic ability. Those and many other excellencies were his possession, acquired by toil, talent, and industry. He was scholar, lawyer, and statesman, and achieved an honorable public career. My main purpose, however, in this brief eulogy is to pay tribute to BERT VESTAL as a friend, a comrade, an associate, whose loyalty and devotion and steadfast allegiance to person and principle were outstanding characteristics. He was one of my early friends in the House, and I was greatly grieved by his sudden death. I cherish his memory, and tender deepest sympathy to his widow and children.

Mr. CANFIELD. Mr. Speaker, when ALBERT H. VESTAL passed on, this body lost a valuable and useful Member, the State of Indiana an able and dependable statesman, and the city of Anderson, Ind., one of its most able and beloved citizens.

It is with deep feeling of sorrow and keen sense of regret that I endeavor to pay a tribute of admiration and respect to the memory of my friend, ALBERT H. VESTAL. For him I entertained a high regard and sincere friendship.

"Bert" as we intimately and affectionately knew him, was ever at the command of his friends and colleagues when

opportunity offered to lend a helping hand or to do a kindly deed. He was known and loved by those who knew him for his honesty and sincerity. His constituents and his colleagues in the House had come to know that his word was as good as any bond; that you could always depend upon what he told you, and that he would stand for nothing but frankness and fair play.

BERT VESTAL knew farm conditions, as he was born and reared on a farm; he knew the needs of the laboring men, as he had been one of them, having in his younger days worked in the steel mills and factories; he knew the desires of the professional and business men, as he was a lawyer and a business man.

I class BERT VESTAL as one of the most typical examples of a successful citizen with whom it has been my good fortune to be associated. He was a poor country lad, dependent upon his own efforts to obtain an education. He worked his way through college and studied law under adverse conditions and under financial limitations. His early training and experience made it possible for him to develop into one of the most useful Members of the House. His great wealth of information, his profound knowledge of legal principles, his strong and logical intellect and superb powers for the presentation of his views gave him unusual advantage in the discussion and consideration of problems of national import. He had pronounced views on all great public questions and always had the courage to express them.

There is little I can add to the words of tribute expressed by others. My appreciation of BERT VESTAL's ability, his genial, buoyant nature, his love of his fellows, and his understanding of their problems is probably only what all have sensed. In his passing we have lost a tried and lovable friend, and yet in the knowledge of that loss is there not a feeling of deep gratitude and appreciation that we have been privileged to have known such a man?

Bert still lives and will continue to live in the memory of his many friends and, I am sure, is in restful peace in the world beyond.

I deeply sympathize with his family and the host of friends who mourn his passing.

EDWARD M. MATH BEERS

Mr. DOUTRICH. Mr. Speaker, the lamented passing of our colleague, EDWARD M. BEERS, was a distinct shock to everybody who knew him. He was a most active and effective worker and a citizen of distinction in his State.

Mr. BEERS, early in life, learned the need for industry. He soon discovered that success came from work—that work was one of the essential needs of those who would succeed, and he devoted himself to the task of becoming a success. We all know that he did succeed.

He was a benefactor for the good his benefactions did to those who received them and not for the publicity which he might receive as the result thereof. He lived to do things for the public and for the people he liked. His word was always kept. If he believed in a thing he did it. He did not enter into arguments as to why he did it or why he refused to do it. He was a public servant in the truest sense. He was not in public life because he wanted additional power—he was in the service because he wanted to serve. The key to his life and character was his devotion to service. In his public and private life he served others unselfishly. As a Member of the House he served well and faithfully those whom he represented.

A sense of humor is always a happy virtue for anyone in public life. Mr. BEERS was blessed with a sense of humor that made it always a pleasure to be with him.

Mr. BEERS was a good man; he was a charitable man; he was an able and wise man; and possessed many elements of true greatness; and the country, as well as the State of Pennsylvania, has suffered a severe loss in his passing.

Mr. STEVENSON. Mr. Speaker, the Hon. EDWARD M. BEERS filled a place in the House of Representatives with fidelity, intelligence, and industry for nearly nine years.

It was my good fortune to serve on the Committee on Printing with him during all of that period; and the large discretionary powers which that committee, in conjunction with the Printing Committee of the Senate in what is known as the Joint Committee on Printing, possesses, is an invitation to dictatorial exercise of power, which is always a true test of a man's character.

During that service a spirit of fairness was always displayed by Mr. BEERS and the zealous record he held for the rights of people having business with the committee and the consideration, in particular, he always showed for the rights of the employees of the Government Printing Office, always impressed me not only with the fundamental honesty and humanity of Mr. BEERS but with his loyal support of the principles of the Master whom he professed and unostentatiously served, believing that the highest duty of man is to do unto others as you would they should do unto you.

His death is a loss to this House and to his State and was a peculiar affliction to myself and to those closely associated with him.

His personal character was above reproach. Even in the heat of strenuous campaigns there were never any aspersions cast tending to reflect on his character or integrity. His family life was most beautiful and was not marred by a single shadow.

He was a member of the Methodist Episcopal Church, and not only took an active part in all church affairs but also showed his faith in his life and the work that he did. He had an abiding faith in the triumph of goodness, and believed not so much in the punishment of evil as in its final elimination from human lives and the realization of the highest and noblest destiny both of the individual and the human race. He believed that—

Religion is a necessary, an indispensable element in any great human character.

And held that—

Dim as the borrowed beams of moon and stars
To lonely, weary, wandering travelers,
Is reason to the soul; and as on high
Those rolling fires discover but the sky,
Not light us here; so reason's glimmering ray
Was lent, not to assure our doubtful way,
But guide us upward to a better day.
And as those mighty tapers disappear
When day's bright lord ascends the hemisphere,
So pale grows reason at religion's sight;
So dies, and so dissolves in supernatural light.

Mr. SWICK. Mr. Speaker, under leave to extend my remarks, I wish to include a brief tribute to Judge EDWARD M. BEERS, late a Representative from the Commonwealth of Pennsylvania.

This beautiful tribute comes from the Bolgiano Bible Class of Foundry Methodist Episcopal Church, Washington, D. C., of which Mr. BEERS was a regular and devoted attendant when in the Capital.

EDWARD M. BEERS

The members of the Bolgiano Class of Foundry Methodist Episcopal Church miss Brother EDWARD M. BEERS, whom God—in His all-wise judgment—has seen fit to call home.

We pause in profound sorrow to-day as we realize that Brother BEERS is no longer with us. We miss the warmth and cheer of his greeting—his friendly handclasp—his pleasant smile—his voice in prayer and song—his words of inspiration.

A great man has left our midst.

He was great because he stood squarely for the highest and noblest things in life.

He was great because he was a man of courage and conviction.

He was great because he was a man of broad and sympathetic understanding.

He was great because he achieved an honored and respected voice in the counsel of our Nation.

He was great because he commanded the instant admiration and respect of all who met him.

Brother EDWARD M. BEERS was born May 23, 1877, near Nossville, Pa. He died in Washington, D. C., April 21, 1932. His early childhood was spent on his father's farm. When he was 12 years old his family moved to Mount Union, Pa., where his father became the owner of a hotel which Brother BEERS later managed.

EDWARD BEERS came of Christian parents. He grew up in the church of God, always active in religious affairs. For many years he was superintendent of the Sunday school of the First Methodist Episcopal Church of Mount Union and also served on the official board of that church.

He was widely known among Methodists throughout Pennsylvania. He was one of the promoters of the Methodist Training Camp at Newton Hamilton and was a member of its board of directors. At the time of his death he was its president.

He served as associate judge of Huntingdon County, Pa., for nine years. He had the great distinction of being elected judge without his name appearing on the printed ballot.

He was vice president of the First National Bank of Mount Union and was a director of the Grange Trust Co. of Huntingdon.

In 1922 he was elected to Congress and was reelected four successive times.

His fellow men put their faith in him because they could not do otherwise. His very nature made people love him, and depend upon him.

In Dr. Frank W. Collier's teachings, he found many things which satisfied his heart and mind, and which touched him deeply.

Brother BEERS is missed—and will be missed still more as time goes by.

The Nation will miss him, particularly in this hour of anxiety and distress. The communities in which he moved will miss him. And we ourselves shall miss him in the days to come.

Not for him do we sorrow, because his is a rich reward attained, but we sorrow for ourselves that we can not longer have him with us.

To his loved ones, who will miss him as no one else possibly can, our hearts go out in deepest sympathy, and we pray that the influence of his spiritual life may comfort those who mourn, and that they, with faith like his, may "trace the rainbow through the rain," and see the promise of the resurrection through their tears.

"Christ arose! and, because He lives, we too shall live."

Be it resolved, That a copy of these resolutions be sent to Mrs. Edward M. Beers, that a copy be spread on the records of the Bolgiano Class, and a copy on the records of the official board of Foundry Church.

By the Bolgiano Class of Foundry Methodist Episcopal Church.

ART BROWN,

LOUIS W. MATTERN,

FRANK E. BEST,

Committee.

WASHINGTON, D. C., May 1, 1932.

Mr. RICH. Mr. Speaker, again the angel of death has taken from our midst a good father, a dutiful husband, and a friend to all mankind. The Hon. EDWARD M. BEERS was one of the finest of men—loved and esteemed by all who knew him—honorable, upright, sincere, and conscientious, attending to his duties in Congress and elsewhere in the best possible manner.

He had the greatest concern and interest in those things in life that were vital to the welfare of his friends and to the general good of his country. He took great interest in the work assigned to him in Congress, on committees and on the floor of the House. The Hon. EDWARD M. BEERS represented the eighteenth Pennsylvania district, known as the shoestring district, for five consecutive terms. He gave undivided attention to his committee work and to legislation on the floor of the House. He became chairman of the Committee on Printing of the House and rendered excellent service to that committee; he was appointed vice chairman of the Joint Committee on Printing in 1930 and served on these committees until his death.

He was extremely interested in his church, in the Sunday school, and many times did he talk to me about the work of the men's Bible class and the pleasure and enjoyment he received in attending this class meeting every Sunday morning. He was a firm believer in that Golden Rule laid down for us all, "Do unto others as ye would that men should do unto you," and I believe he practiced it as well as any man could.

The host of friends who mourned his departure rejoice in the fact that he lived such an honest, clean, Christian life that we realize he is now at home in the heavenly land where his pleasures and joys abound in greatest glory. His life is a monument to us all, to emulate his great deeds and acts that we may reap that harvest of undying joy and happiness when we are summoned to that Great Beyond.

While we here in this world shall miss him, we know that our loss is his gain, our sorrow for his departure is joy to the angels in heaven, and while we go about our daily tasks we realize our lives have been enriched by his association; our joys have been increased by mingling with him. He will always linger in our memory as a true friend and brother.

Sleep on, dear friends, such lives as thine

Have not been lived in vain,

But shed an influence, rare, divine,

On lives that here remain.

Mr. KINZER. Mr. Speaker, in the death of Hon. EDWARD M. BEERS, the Pennsylvania delegation suffered a deep loss.

For almost a decade Representative BEERS served his district, his State, and his Nation in this hall, representing a proud agricultural district. His constituents knew him as their friend, and he knew them in their many and varied interests and was ever willing and untiring in his efforts to serve them.

Much that is great and noble can be said of his public services, but high above all this, which is more beautiful and more enduring, it can be said that Mr. Beers was truly a good man and a Christian. Well may the youth of his district and of the world emulate the example which was set for them by this great and good man.

He believed that in the moral order men should live without hindering the lives of others, should live to aid others in attaining more complete life, and that a day will come when the individual will be blessed in "hand and foot and soul four-square, fashioned without fault," fit closely into the moral order as the perfect ashlar.

He was a loyal friend, a loving husband, a kind father, and an energetic, conscientious man possessed of high ideals and of deep religious purpose. His accomplishments on earth were wrought in strength and honor. His memory will be cherished by his colleagues and friends.

Mr. DARROW. Mr. Speaker, although all of us realize the certainty of death, every time a final summons comes our hearts are filled with sadness. Particularly is this true when the flag on the Capitol is at half-mast in mute evidence of the passing of another public servant.

In the recent death of our colleague, Hon. EDWARD M. BEERS, I lost a good personal friend, his district lost a painstaking and noteworthy Representative, his State and country a patriotic and loyal public servant, and his family a loving and faithful husband and father. Personally, I had the highest regard for Mr. BEERS, and am happy to have had the privilege of associating and laboring with him.

It may truly be said that our late colleague entered upon his duties with unusual zeal and earnestness, giving his best efforts to every task. As a consequence his talents were recognized early in his congressional career; and although his service with us covered a period of less than eight years, he had attained a position of vast influence and his counsel and advice were frequently sought by his associates.

Congressman BEERS was devoted to the interests of his constituency, and those of us who attended his funeral at Mount Union will never forget the efforts of his great host of friends and constituents to pay honor in their last tribute to a dear friend and public servant.

While ED BEERS has embarked on that journey from which none return, and his legion of friends and admirers will greatly miss him, the memory of his public service and notable accomplishments in his comparatively short career will ever be a priceless heritage to his family and friends.

Mr. GUYER. Mr. Speaker, early in my first term as a Representative I became acquainted with Congressman EDWARD M. BEERS. He represented the district in Pennsylvania in which my father was born and in which, with the exception of three years, my mother spent her girlhood and young womanhood. This formed a tie that led to a warm and lasting friendship which I enjoyed to the time of his untimely death. He was a man of such powerful physical development and seeming perfection of health that his death caused great surprise mingled with profound sorrow and regret among all his congressional friends.

I was particularly fond of Mr. BEERS, having lived for years at the same hotel and having been his golf partner in many fondly remembered games during the recent years. I have known few men who enjoyed life with more zest than this whole-souled Pennsylvanian. It was a joy to be with him, with all his exuberance of life and good nature. In all my experience with him, in play, in the forum, and on the street, I have never seen him with patience exhausted or his temper stirred to heat or anger. He lived a fine and

useful life, and his place in the community, in his State, and in his Nation will not be easily filled.

His family life was ideal, and he left to wife and son a beautiful memory and a rich heritage in his honorable and exemplary life. He took an active and important part in the social, church, and business life of his community. He liked folks and enjoyed the association with his friends, with whom he was always popular and toward whom he always extended the most sympathetic attention. He held a high place in the estimation and affection of his colleagues and was a consistent and arduous worker on the committees on which he served. He was a Representative of high rank and he served his district and his State with distinction and honor. He occupied an exalted position in the estimation of his constituency, whom he served with consecrated devotion. His people will miss his broad-visioned statesmanship and untiring devotion to duty. To that long line of distinguished men whom Pennsylvania has contributed to the service of the Nation EDWARD M. BEERS will add luster.

Mr. MANLOVE. Mr. Speaker, one of our colleagues, the Hon. EDWARD C. BEERS, has gone. He was loved and respected by all who knew him. If I should write a thousand pages in which I should attempt to draw the picture of his beautiful life, I could not do justice to the full kindness of his overflowing heart. He loved mankind. His ambition in life was to serve his fellow man, and that very service which he extended to his colleagues, his constituents, and his friends undoubtedly shortened the days of his life.

A poet whose life must have been imbued with that sweet sentiment toward the passing world was surely thinking of humanity and his more unfortunate, footsore, and weary brethren in the same spirit in which EDWARD M. BEERS always thought of them when he wrote that beautiful poem:

Let me live in a house by the side of the road,
Where the race of men go by—
These men who are good and the men who are bad,
As good and as bad as I.
I would not sit in the scorner's seat
Or hurl the cynic's ban—
Let me live in a house by the side of the road
And be a friend to man.

ED BEERS and I came to Congress at the same time. We counseled with one another and I drew from my association with him many helpful and strengthening ideals of life. He was the soul of courtesy, accommodation, and kindness, yet calm, collected, and courageous.

His quiet and unassuming manner, his generosity to those who disagreed with him, and his entire freedom from all that was superficial or false characterized him in the full light of the true man which he was and endeared him to his colleagues in Congress.

At the time of his death he could not have been loved more. His strength of character was unbounded, his opinion was sought, his record in Congress enviable. He died at his post of duty at the hour when the world needed him most. It is strange. We can not fathom his early departure. His record stands unmarred. The story of his life is an inspiration and a guidepost to ambitious young men—

The heights by great men reached and kept
Were not attained by sudden flight,
But they while their companions slept
Were toiling upward in the night.

AFTER RECESS

The recess having expired, at 1 o'clock and 27 minutes p. m., the House was called to order by the Speaker.

EXTENSION OF REMARKS

Mr. BUCKBEE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a statement from the mayor of the city of Rockford and a resolution from the city council of that city on the economic situation.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I object.

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a resolution recently adopted by the Northwestern Retail Dealers Association in opposition to the inland waterway-development project at this time.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I object.

RIVER AND HARBOR DEVELOPMENT

Mr. WILLIAM E. HULL. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. WILLIAM E. HULL. Mr. Speaker, I ask unanimous consent to insert in the RECORD, for the information of the Members of the House, a statement that has been furnished me by Maj. Gen. Lytle Brown, Chief of Engineers of the War Department, showing the estimated cost of building river and harbor projects authorized by Congress, which are fully justifiable at the present time in the interest of commerce and navigation.

I understand, Mr. Speaker, that the Congress may decide to enlarge its relief program and authorize the appropriation of additional money for the relief of agriculture and for the completion of revenue-producing public works in order to relieve as far as possible the unemployment situation that is rapidly becoming a menace throughout the Nation. If such a program should be sponsored by the Congress, I know of no project that would afford as great employment of labor, dollar for dollar, as would the completion of the work that has been authorized for the rivers and harbors system, and I know of nothing that the Government could do that would bring about more immediate relief for agriculture and kindred industries than the completion of the inland-waterway system.

Mr. MOUSER. Mr. Speaker, will the gentleman yield?

Mr. WILLIAM E. HULL. Yes.

Mr. MOUSER. Does not the gentleman think that development of the inland-waterway system at this time will further destroy the jobs of railroaders?

Mr. WILLIAM E. HULL. I think it will help jobs 100 per cent.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The statement is as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, May 25, 1932.

Hon. W. E. HULL,
House of Representatives, Washington, D. C.

MY DEAR MR. HULL: In accordance with your request I take pleasure in furnishing you with a copy of the statement showing the estimated cost of completing river and harbor projects authorized by Congress, which are fully justified at the present time in the interests of commerce and navigation, as presented to the subcommittee of the Commerce Committee of the United States Senate in a hearing of April 9, 1932. You will note that these projects total approximately \$197,000,000.

In addition to the projects shown on these lists the following important projects have been authorized by Congress, for which the full appropriation necessary for completion has not been authorized.

	Total estimated cost	Authorized appropriation	Amount remaining to be authorized
Mississippi River	\$124,000,000	\$7,500,000	\$116,500,000
Tennessee River	74,700,000	5,000,000	69,700,000
Miami Harbor	885,000	200,000	685,000
Missouri River, Kansas City to Sioux City	53,750,000	27,000,000	26,750,000
Total			213,635,000

This statement does not include the Connecticut River, Hartford to Holyoke, now under review under committee resolution.

Sincerely yours,

LYTLE BROWN,
Major General, Chief of Engineers.

(Inclosures: Tables from hearings before subcommittee.)

Statement showing the estimated cost of completing river and harbor projects authorized by Congress which are fully justified at the present time in the interests of commerce and navigation

FIRST PRIORITY

	Required for completion in addition to funds on hand
Allegheny River, Pa.	\$5,825,000
Baltimore Harbor and Channels, Md.	918,000
Black Warrior, Warrior, and Tombigbee Rivers, Ala.	252,000
Caloosahatchee River-Lake Okeechobee drainage area, Florida	6,149,000
Cleveland Harbor, Ohio	410,000
Columbia and Lower Willamette Rivers below Portland, Oreg., and Vancouver, Wash.	340,000
Delaware River, Philadelphia to the sea	185,000
Erie Harbor, Pa.	30,000
Frankfort Harbor, Mich.	145,000
Houston Ship Channel, Tex.	44,000
Hudson River, N. Y.	907,000
Hudson River Channel, N. Y.	1,440,200
Illinois River:	
Mouth to Utica	975,000
Utica to Lockport	4,300,000
Kanawha River, W. Va.	4,000,000
Los Angeles and Long Beach Harbors, Calif.	635,000
Manasquan River and Inlet, N. J.	99,300
Milwaukee Harbor, Wis.	50,000
Mississippi River:	
Illinois River to Minneapolis	6,950,000
Ohio River-Illinois River	12,800,000
Missouri River, Kansas City to mouth	11,290,000
Mobile Harbor, Ala.	195,000
Mobile Bay-New Orleans waterway	10,000
Monongahela River, Pa. and W. Va.	410,000
Newark Bay-Hackensack and Passaic Rivers, N. J.	400,000
Norfolk Harbor, Va.	11,200
Ohio River:	
Open-channel work	4,650,000
Lock-and-dam construction	6,000,000
Oswego Harbor, N. Y.	1,510,000
Pensacola-Mobile Bays waterway	265,000
Pollock Rip Shoals, Nantucket Sound, Mass.	16,500
St. Johns River, Fla., Jacksonville to the ocean	320,400
San Francisco Harbor, Calif.	781,000
Tampa Harbor, Fla.	259,500
Taunton River, Mass.	590,000
Texas City Channel, Tex.	120,000
	73,283,100

SECOND PRIORITY

Alabama River, Ala.	579,200
Ashland Harbor, Wis.	40,000
Ashtabula Harbor, Ohio	309,000
Bay Ridge and Red Hook Channel, N. Y.	788,900
Black Rock Channel and Tonawanda Harbor, N. Y.	720,200
Brazos Island Harbor, Tex.	2,358,000
Bridgeport Harbor, Conn.	328,000
Bronx River, N. Y.	1,900,000
Brunswick Harbor, Ga.	216,000
Buttermilk Channel, N. Y.	4,300,000
Cape Fear River above Wilmington, N. C.	11,750
Cape Fear River-Winyah Bay waterway	4,139,000
Carters Creek Bay, Va.	8,000
Cashie River, N. C.	5,000
Channels in Lake St. Clair, Mich.	2,642,000
Charleston Harbor, S. C.	103,000
Chesapeake-Delaware Canal	183,300
Cockrells Creek, Va.	59,000
Conneaut Harbor, Ohio	140,000
Crescent City Harbor, Calif.	40,000
Delaware Bay, Harbor of Refuge, Del.	287,000
Delaware River, Philadelphia to the sea	2,660,000
Detroit River, Mich.	12,068,400
Dorchester Bay and Neponset River, Mass.	162,000
East Chester Creek, N. Y.	283,000
East River, N. Y.	6,980,000
East Rockaway (Debs) Inlet, N. Y.	610,000
Fairport Harbor, Ohio	526,000
Fall River Harbor, Mass.	167,000
Glen Cove Creek, N. Y.	26,750
Grand Haven Harbor and Grand River, Mich.	21,000
Grays Harbor, inner portion, and Chehalis River, Wash.	161,500
Green and Barren Rivers, Ky.	2,200,000
Gulfport Harbor, Miss.	121,000
Harlem River, N. Y.	2,769,000
Holland Harbor, Mich.	128,000
Honolulu Harbor, Hawaii	675,000
Horn Harbor, Va.	6,000
Housatonic River, Conn.	295,000
Huron Harbor, Ohio	46,000
Indiana Harbor, Ind.	357,000
Jacksonville and Miami waterway	2,535,000
Jamaica Bay, N. Y.	2,300,000

	Required for comple- tion in addition to funds on hand
James River, Va.....	\$3,079,000
Lorain Harbor, Ohio.....	115,000
Louisiana-Texas intracoastal waterway:	
New Orleans-Sabine River section.....	1,695,800
Sabine River-Corpus Christi section.....	5,900,000
Lynn Harbor, Mass.....	80,000
Manhasset Bay, N. Y.....	63,000
Manistee Harbor, Mich.....	45,000
Missouri River, Kansas City to Sioux City.....	20,070,000
Monroe Harbor, Mich.....	490,500
Monterey Harbor, Calif.....	285,000
New Bedford and Fairhaven Harbor, Mass.....	425,000
Newtown Creek, N. Y.....	330,000
Niagara River, N. Y.....	1,535,600
Oklawaha River, Fla.....	41,400
Petaluma Creek, Calif.....	185,000
Port Aransas, Tex.....	395,000
Port Chester Harbor, N. Y.....	9,900
Port Jefferson Harbor, N. Y.....	99,000
Quillayute River, Wash.....	12,000
Raritan River, N. Y.....	45,000
Richmond Harbor, Calif.....	30,000
Saginaw River, Mich.....	572,000
St. Clair River, Mich.....	5,202,100
St. Johns River, Palatka to Lake Harney.....	63,000
St. Marys River, Mich.....	3,042,700
San Diego Harbor, Calif.....	267,250
San Joaquin River, Calif.....	492,400
Savannah Harbor, Ga.....	1,772,800
Savannah River below Augusta, Ga.....	1,289,400
Seattle Harbor, Wash.....	10,000
Skamokawa (Steamboat) Slough, Wash.....	9,450
Tennessee River, Tenn.....	4,820,000
Thames River, Conn.....	169,000
Waddington Harbor, N. Y.....	20,000
Waukegan Harbor, Ill.....	25,800
Willamette River above Portland and Yamhill River, Oreg.....	210,000
Winyah Bay, S. C.....	158,800
	<hr/> 107,310,400

THIRD PRIORITY

Baltimore Harbor and Channel, Md.....	800,000
Cape Lookout (N. C.) Harbor of Refuge.....	1,160,000
Charleston-Winyah Bay Waterway, S. C.....	66,400
Coney Island Channel, N. Y.....	56,900
Congaree River, S. C.....	149,000
Connecticut River above Hartford, Conn.....	1,000,000
Flushing Bay Harbor, N. Y.....	365,000
Fox River, Wis.....	40,000
Great Kills, Staten Island, N. Y.....	62,000
Grosse Tete Bayou, La.....	100,000
Houliam River, Wash.....	50,000
Los Angeles and Long Beach Harbors, Calif.....	7,000,000
Mamaroneck Harbor, N. Y.....	25,600
New London Harbor, Conn.....	75,500
Norfolk-Beaufort Inlet Waterway.....	300,000
Northeast (Cape Fear) River, N. C.....	25,375
Oakland Harbor, Calif.....	232,000
Onancock River, Va.....	56,000
Roanoke River, N. C.....	42,000
Snake River, Oreg., Wash., and Idaho.....	80,000
Southwest Pass-Mississippi River, La.....	1,000,000
Swinomish Slough, Wash.....	50,000
Teche Bayou, La.....	144,000
Tolovana River, Alaska.....	40,000
York River, Va.....	75,000
Youghiogheny River, Pa.....	3,500,000
	<hr/> 16,494,775

RECAPITULATION

First priority.....	73,283,100
Second priority.....	107,310,400
Third priority.....	16,494,775
	<hr/> 197,088,275
Total amount of projects.....	<hr/> 410,723,275

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S. J. Res. 165. Joint resolution authorizing the President of the United States to present the distinguished-flying cross to Amelia Earhart Putnam.

FEDERAL RELIEF

Mr. CONNERY. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. CONNERY. Mr. Speaker, at this time, right after the gentleman has called attention to the letter of General Brown with reference to public works, I rise to call the attention of the House to the fact that on January 19, of this year, the Committee on Labor, of which I have the honor to be chairman, reported to the House a bill calling for \$700,000,000 for Federal relief; \$500,000,000 of that was to be for loans to the States. The States were to put up their bonds, notes, or debentures as security and were to be given 10 years to pay the money back. If they did not pay it back at that time, it was to be taken out of the Federal highway contributions at the rate of one-tenth of the Federal highway appropriation per year. Two hundred million dollars was to be spent for projects already allocated on public works for which no appropriation had been made. My idea at this time in calling this to the attention of the House is because I want the House to know that the Committee on Labor was on the job over five months ago in reference to Federal relief. We considered the Huddleston bill, which calls for \$100,000,000 direct Federal relief, and the Lewis bill which calls for \$375,000,000. Finally, the Committee on Labor reported out the Connery \$700,000,000 bill. We went to the Rules Committee and were supported by the entire organized labor of the United States, all of the railroad labor organizations, the American Federation of Labor, and all labor organizations in the country in asking Congress to take action on this bill.

The Rules Committee did not give us a rule. I call this to the attention of the House without any bitterness or any criticism particularly of the Committee on Rules, but in order to let the House know, as I say, that the Committee on Labor was on the job five months ago. I am happy at this time to see that Members of the other body and that the Speaker of this House have taken up the matter, and that the Speaker of the House has introduced a bill which is going to call for Federal relief. I am in favor of any bill which will bring relief for the people. We have been taking care of the bankers, the international bankers, and the big interests in the United States, and it is about time that we took care of the starving men, women, and children in the United States. [Applause.]

Mr. MEAD. Mr. Speaker, will the gentleman yield?

Mr. CONNERY. Yes.

Mr. MEAD. I call the gentleman's attention to the fact that to-morrow evening we are going to have a meeting in the House Office Building, at which time and place we will hear from the President of the American Federation of Labor, the head of the Grange, and an expert economist on the need of legislation such as the gentleman has mentioned.

Mr. CONNERY. I shall be glad to attend that meeting. In conclusion I wish to say I am happy to favor any legislation which will bring relief. We find William Randolph Hearst through his papers suggesting a \$5,000,000,000 prosperity loan. I am in favor of that proposition, which would do much to take care of the people, those who are out of work and hungry and in need. Of course, my personal belief is that the first \$2,000,000,000 should be used to pay the soldiers' bonus, for they were the ones who saved the country billions of dollars and are now in need of help from the Government for which they fought. [Applause.]

The SPEAKER. The time of the gentleman from Massachusetts has expired.

KENT V. COYLE

Mr. CLARK of North Carolina. I ask unanimous consent to insert in the RECORD the report of the committee in the contested-election case of Kent v. Coyle.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to insert in the RECORD the report of the Committee on Elections No. 1, in the contested-election case of Kent v. Coyle. Is there objection?

Mr. STAFFORD. That is the election case that we disposed of yesterday?

Mr. CLARK of North Carolina. Yes.

Mr. STAFFORD. What is the value of having it in the RECORD now at the expense of the taxpayers of the Nation?

Mr. CLARK of North Carolina. It simply shows the ground on which the case was decided.

Mr. STAFFORD. Mr. Speaker, I object.

GOVERNMENT COMPETITION IN BUSINESS

Mr. LOZIER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an address delivered by my colleague, Hon. JOSEPH B. SHANNON, at Kansas City, Mo., on May 18.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. LOZIER. Mr. Speaker, on May 18, 1932, my distinguished colleague from Missouri, Hon. JOSEPH B. SHANNON, delivered an address at the Kansas City Live Stock Exchange in which he demonstrated that the Federal Government has forced its way into active competition with private business to an amazing extent. The Government's participation in private business activities was at first under cover, but now this competition is open and aboveboard, extending to a multitude of activities, to the serious injury of private industry. Mr. SHANNON showed that in many instances the small retail merchant sees his business shrink and his profits disappear by being deprived of trade to which he is justly entitled under our economic system and scheme of government.

Mr. SHANNON's speech was published in the Kansas City Daily Drover's Telegram, a publication of wide circulation and great influence. This paper is owned and published by members of the Neff family, long identified with the livestock industry in Kansas City and the Middle West. The founder, or one of the founders, of the Drover's Telegram, the late Hon. Jay Neff, was one of the outstanding citizens of Kansas City, having with fidelity and honor served as mayor of that metropolis, and as evidence of his liberality and public spirit he gave to the Missouri University a beautiful and costly structure for housing the Missouri School of Journalism, the first and undeniably the greatest institution of its kind in the world.

As reported in the Drover's Telegram, Mr. SHANNON said, in part:

Twenty years ago Theodore Roosevelt said, "Opportunity must be preserved for the American youth."

To-day that statement should be amended to say, "Opportunity must be preserved for the American citizen," and the only way that this may be done is for the Government to be driven out of competition with private business, JOSEPH B. SHANNON, Representative in Congress from the fifth congressional district of Missouri, declared in an address yesterday afternoon at a meeting of livestock men in the exchange hall.

"We hear a good many speakers nowadays talking about paternalism in government, and that is all right," Mr. SHANNON said, "but I want to get down to every-day terms and talk about laundries and restaurants. I want to show how the large Government store at Leavenworth, Kans., has entered the retail field and has murdered the private merchants in Leavenworth."

"Opportunity is being taken away from private citizens more and more each day by the encroachment of the Government through bureaus, commissions, and boards. We must clean house in the Government and throw the bureaus out the window. When that is done the private citizen will have the opportunity to which he is entitled. The way to do it is to convince Congress that the Government may be operated without the elaborate system of extravagant bureaus that has been built up. The majority of Congressmen want to do what is right, and it is up to the people of the country to let their sentiments be known."

Mr. SHANNON cited a number of instances where the Government has come into direct competition with private individuals in the operation of restaurants. He said the Government had spent \$100,000 on a cafeteria in the new \$17,500,000 "temple of folly" at Washington. He referred to the Department of Commerce Building.

Coming closer to home, Mr. SHANNON told of the plan to include an expensive Government-operated restaurant in the new post-office building now being erected in Kansas City, when there are several other restaurants in the union-station district, privately owned and operated, which should have the business, and which have protested against the post-office restaurant. He said he understood the Government contemplated putting restaurants in the post offices of 32 cities in the United States.

SPECIAL ROOMS FOR OFFICERS

"I recently visited the Federal reserve building in Kansas City and found a restaurant on the top floor," Mr. SHANNON said. "There was another large dining space that they told me was for clerks. A smaller room to one side was for the bank officers, and they told me that still another room was being furnished for officials of the new Reconstruction Finance Corporation."

"In Washington they tell us it is the welfare department of the Government that provides all of these services for the Government employees. Through the welfare department the Government has even gone into the bootblack business. But it isn't for the welfare of the employee that it is done, but for the welfare of the fellow that is selling supplies in big lots to the Government."

"Of late there has come to Washington a strong protest from private operators of laundries in the country that Government competition has been ruining their business. There is a striking example of this under the very noses of the Congressmen. The laundry of the families of Army officers in Government offices is picked up by soldiers in trucks operated at Government expense, taken to Fort Myer and cleaned, thus taking the business from private laundries. This is bad enough, but what makes it worse is that the officers are accommodating many of their friends by pitching their dirty clothes in the bag, too. I asked some officials at the capital under what department this was being done and they replied, 'national defense.'"

Mr. SHANNON's attention has been called to the competition of the Government with the retail merchants of Leavenworth when a group of men from that town told him how their business was being ruined. He sent his secretary to Leavenworth to investigate.

He exhibited to the meeting purchases the secretary had made at the Government store. First he showed several packages of cigarettes.

"These were purchased by a citizen of Kansas City and not by an Army officer," he said. "The cigarettes cost 15 cents at the Government store, while the drug store across the street was compelled to charge 17 cents, including the tax levied by the State."

He held up a bottle of perfume, a necklace, a necktie, and a pair of woman's pajamas. What an Army officer would need with these things was more than he could understand, he declared. Furnaces, silverware, and radios could also be bought at the Government store.

IN THE RADIO BUSINESS

"I am told of a recent instance of a citizen of Leavenworth taking a radio from the store of a private dealer for a week's trial," Mr. SHANNON said. "At the end of the week the dealer went to the home to see about it. He was informed that the man liked the radio after the trial, but that he bought one at the Government store for \$5 less than the dealer's price."

Mr. SHANNON spoke of the difficulty citizens encountered in gaining a hearing by officials of the Government at Washington.

"The Capital is a long way from the people," he said. "Recently a delegation of Kansas City livestock men were in Washington seeking a hearing before the Agricultural Committee of the House, and they had to wait from Monday until Thursday before they were heard. These men found they had been accompanied from Kansas City by two strangers, and investigation revealed the strangers were representatives of the Farm Board."

"Why were these men shadowing the delegation?" They were afraid of the same thing that every Government bureau employee is afraid of. They were afraid of being dislodged from the Government pay roll."

Mr. SHANNON spoke at the livestock exchange at the invitation of a petition signed by some 300 persons. He delayed his return to Washington for a day in order to accept the invitation. He was introduced by J. C. Swift.

He has submitted to the House a resolution calling for the appointment of a committee of five men to thoroughly investigate the operations of the Government in competition with private business.

EXTENSION OF REMARKS

Mr. RAINEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing in the RECORD a letter from Hon. Frank Murphy, mayor of the city of Detroit, addressed to the Speaker of the House of Representatives; and also to print in the RECORD a petition which is attached to the letter and which is addressed to the President of the United States, signed by the mayor of the city of Detroit and the mayors of other cities in Michigan, asking for relief and detailing conditions in the State of Michigan.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. SNELL. Mr. Speaker, reserving the right to object, if we are going to start putting in letters and communications from various mayors, we should put them all in. I understand this is just a communication from the mayor of the city of Detroit?

Mr. RAINEY. And numerous other mayors, and it is addressed to the President of the United States.

Mr. MICHENER. It is a petition from the mayor of the city of Detroit and a number of other mayors?

Mr. RAINEY. Yes, sir.

Mr. MICHENER. And it is locally confined to the State of Michigan.

Mr. RAINEY. Yes.

Mr. MICHENER. I received a copy of it and I did not offer it because of the rule which the gentleman from Illinois has heretofore insisted upon, that petitions of this kind have no place in the CONGRESSIONAL RECORD. I am wondering why his change of heart?

Mr. RAINEY. This is a petition of importance, and it is official and it is addressed to the President of the United States.

Mr. SNELL. If it is addressed to the President it should be sent to the President and not to us.

Mr. BANKHEAD. Mr. Speaker, regular order.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I object.

GUARANTY FUND FOR DEPOSITORS IN BANKS

Mr. BANKHEAD. Mr. Speaker, by direction of the Committee on Rules I call up a privileged resolution, House Resolution 221, and ask for its immediate consideration.

Mr. CONNERY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CONNERY. To-day was to be Calendar Wednesday, ordinarily, with the Committee on Labor having the call. I would like to know what our status will be.

The SPEAKER. To-day is not Calendar Wednesday, because by a resolution adopted yesterday it was dispensed with.

Mr. CONNERY. When will we have our Calendar Wednesday?

The SPEAKER. On next Calendar Wednesday. Every Wednesday is Calendar Wednesday.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 11362, a bill to amend the national banking act and the Federal reserve act, and to provide a guaranty fund for depositors in banks.

That after general debate, which shall be confined to the bill and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and any amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BANKHEAD. Does the gentleman from Indiana desire any time on the rule?

Mr. PURNELL. I have had no requests for time. I have no disposition to oppose this rule. I do not want to be misunderstood in not opposing the rule. I will be frank and say that I do not know how I shall vote on this bill myself. It is very controversial, and it is a matter of such importance that we feel there should be ample opportunity for discussion.

Mr. BANKHEAD. Mr. Speaker, if there is no desire for time, I move the previous question on the adoption of the rule.

The previous question was ordered.

The resolution was agreed to.

Mr. KELLER. Mr. Speaker, I make the point of order that there is not a quorum present.

The SPEAKER. Evidently a quorum is not present.

Mr. COX. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 86]

Abernethy	Bacon	Bohn	Cannon
Aldrich	Beck	Boylan	Cary
Allgood	Black	Britten	Chapman
Almon	Bland	Campbell, Iowa	Chase

Chipperfield	Hart	McReynolds	Selvig
Cochran, Mo.	Hartley	Maas	Shallenberger
Collier	Haugen	Maloney	Shreve
Connery	Hawley	Martin, Oreg.	Smith, Va.
Connolly	Hill, Ala.	Mitchell	Snow
Cooper, Ohio	Hull, William E.	Montet	Somers, N. Y.
Corning	Igoe	Murphy	Sullivan, Pa.
Dickstein	Johnson, Ill.	Nelson, Wis.	Summers, Tex.
Douglas, Ariz.	Johnson, S. Dak.	Norton, N. J.	Sutphin
Douglass, Mass.	Johnson, Wash.	O'Connor	Sweeney
Doutrich	Kading	Oliver, N. Y.	Swing
Doxey	Kendall	Owen	Treadway
Drane	Kennedy	Palmisano	Tucker
Flesinger	Kerr	Patterson	Underhill
Fish	Kleberg	Peavey	Underwood
Flannagan	Kurtz	Pou	Watson
Frear	Lamneck	Pratt, Ruth	Welsh, Pa.
Free	Lanham	Ramseyer	Withrow
Freeman	Lea	Rayburn	Wolfenden
Fulbright	Lehibach	Reid, Ill.	Wolverton
Gilchrist	Lewis	Sabath	Wood, Ind.
Golder	McClintic, Okla.	Sanders, Tex.	Yon
Goodwin	McDuffie	Schafer	
Hall, Miss.	McLeod	Seiberling	

The SPEAKER. Three hundred and twenty-two Members have answered to their names. A quorum is present.

On motion of Mr. Cox, further proceedings under the call were dispensed with.

Mr. STEAGALL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 11362) to amend the national banking act and the Federal reserve act, and to provide a guaranty fund for depositors in banks.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 11362, with Mr. WOODRUM in the chair.

The Clerk read the title of the bill.

Mr. STEAGALL. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. STEAGALL. Mr. Chairman, the first section of the bill provides that the minimum capital for national banks hereafter organized shall be \$50,000, and requires that a surplus fund equal to 10 per cent of the capital shall be paid in contemporaneously with the payment of the capital stock. The opinion is so general and the view so widely expressed that this provision is desirable that I shall not discuss it at length. Records show that 60 per cent of failed banks have capital not in excess of \$25,000. This does not afford proper protection for creditors and depositors.

The next provision in the bill relieves stockholders in national banks from liability to assessment upon their capital stock. It has been found in practice that only 5 per cent of deposits is realized out of collections against stockholders through assessments of liability upon capital subscribed, and only 16 per cent of the realizations upon assets of insolvent banks are received out of the assessment liability against the stockholders.

The effect of the existing provision of law is to give stockholders who are on the inside, so to speak, an opportunity to avoid their liability by disposing of their stock when they find trouble about to overtake a banking institution, and leaves at a disadvantage the investor on the outside, the citizen of the community who is carrying stock in his local bank as a matter of community pride and community service as well as for any return he expects on his stock.

Instances are not infrequently found of stockholders who leave their estates carrying investments in the capital stock of banks, and the heirs, assuming they have a valid asset in such holdings, allow the matter to drift. Finally the bank gets in trouble, there is failure, and the widow or the children find that instead of having inherited an asset, they have inherited a liability and often a lawsuit which works great hardship and injustice. So long as this provision remains in the law, the public is not going to invest money in bank stock.

The enlarged requirements for capital stock is a direct method of affording the protection which double liability is designed to afford but which in practice has failed to afford depositors and creditors of banks.

Another provision of the bill requires Federal reserve banks to give immediate credit for checks drawn against them by their member banks. Under the present rules checks drawn by member banks against Federal reserve banks are not paid, but payment upon them is deferred for the time required for the checks to be cashed, or the time which the Federal reserve bank estimates is required for the collection of checks. It is a cumbersome, unworkable, inconvenient plan, and results in hardship to member banks, and especially smaller banks in marketing periods of the year when demands for cash and balances are accentuated and when it is difficult to finance the marketing of crops.

Another provision of the bill prevents any member bank of the Federal reserve system from paying more than 4 per cent on deposits. That is an arbitrary figure. I am not prepared to say no other figure would answer as well, but certain it is if other provisions of the bill are to be enacted into law we should have a maximum limitation on the interest to be paid on deposits. In the absence of such a limitation a weak bank, or a poorly managed bank, would have an advantage over the sound institution or the one that is prudently and conservatively managed. So, unquestionably there should be some limitation upon the interest rate to be paid.

Another provision prevents a member bank from paying any dividend on its stock until the surplus equals 25 per cent of the stock and then allows 6 per cent in dividends to be paid so long as the surplus remains above 25 per cent and under 50 per cent.

When the surplus exceeds 50 per cent, a bank is permitted to pay 8 per cent in dividends, but no more than that until the surplus reaches 100 per cent. When the surplus reaches 100 per cent of the capital stock, permission is given to pay whatever dividend is deemed proper and desirable, so long as it does not reduce the surplus below 100 per cent of capital stock.

Under the present law Federal reserve banks either place to their surplus account or pay into the Treasury of the United States in lieu of a franchise tax the earnings that accrue, after first having paid a return of 6 per cent to member banks, based on the capital which member banks hold in Federal reserve banks.

The bill before us provides that after paying the returns to member banks fixed in the law and setting aside an annual surplus of 10 per cent, Federal reserve banks shall distribute to their member banks half the earnings that accrue, to be prorated upon the basis of stock held in Federal reserve banks by member banks, and that the other half of the net earnings shall be paid into a fund known as a guaranty fund for the protection of depositors in banks that are permitted under the bill to share in the guaranty fund provided.

Let me say in connection with the provision regarding the distribution of earnings of Federal reserve banks that a great hardship has resulted upon the smaller banks that are members of the Federal reserve system in not being permitted to share in the earnings of the system. The Federal reserve banks make their money out of their member banks. The member banks are required to subscribe for capital stock in Federal reserve banks, each member bank subscribing an amount equal to 6 per cent of its own capital. Upon that an arbitrary return of 6 per cent is paid and no more. The member banks are required to maintain balances amounting to 7 per cent on regular deposits and 3 per cent on time deposits with Federal reserve banks, and upon those deposits member banks do not get one dollar of return.

Prior to the passage of the Federal reserve act the smaller banks of the country maintained their balances with large banks in the cities with whom they carried their accounts and received an interest return upon those balances amounting usually to 2 per cent or 3 per cent. In addition to

this, member banks were permitted to charge for the service rendered by them in collecting and remitting checks.

That privilege has been taken away. This was done by overriding the expressed will of Congress. The history of this would be interesting but not pertinent to this legislation, because there is no provision in this bill that would change existing conditions and practices.

I have pointed out these instances of hardship affecting the smaller banks of the country in order that you may see the desirability of permitting member banks in the Federal reserve system to share in the earnings of Federal reserve banks. Part of the earnings of these banks has been paid into the Treasury in lieu of a franchise tax, but Federal reserve banks do not owe the Government any franchise tax. They render more service to the Government than they receive compensation for. The provision for paying a part of net earnings into the Treasury of the United States was simply an automatic method devised when the Federal reserve law was passed by which to absorb any possible earnings that might accrue. It was never expected that Federal reserve banks would accumulate any large earnings. They were not designed to become money-making institutions, but the fact is, notwithstanding enormous expenditures in salaries—and I think I shall not be considered unjustly critical when I say unjustified and extravagant expenditures incurred in the erection of costly buildings—the Federal reserve banks have made in round figures \$526,000,000 net profits. That fund has either been paid into the Treasury of the United States—and something in the neighborhood of \$150,000,000 has been paid into the Treasury of the United States in lieu of a franchise tax—or it has gone into surplus accumulations of the Federal reserve banks.

It is not unfair to say that while these enormous earnings were being accumulated out of member banks of the Federal reserve system hundreds and hundreds of those member banks were choked down. They were prevented from earning sufficient profits to enable them to carry on, and a large part of the difficulties that have overtaken banks that are members of the Federal reserve system has grown out of the exactions and discriminations against them either as written into the Federal reserve law itself or resulting from the administration of the Federal reserve system.

Mr. PATMAN. Will the gentleman yield?

Mr. STEAGALL. I yield.

Mr. PATMAN. Does the gentleman suggest that the Government should not receive compensation for the use of its credit—that is, the credit extended by the Government to the Federal reserve banks? The gentleman will recall that in one section—I believe it is section 16—it is provided that when Federal reserve notes are issued the Federal reserve banks shall pay such interest as may be assessed by the Federal Reserve Board, which clearly, to my mind, shows the intent in the original act that the Government should receive compensation for the use of its credit.

Mr. COX. May I supplement the gentleman's question?

Mr. STEAGALL. Certainly.

Mr. COX. In other words, the Federal reserve system was an agency set up to serve the entire country. The gentleman proposes by this bill, as I take it, to dedicate it and its activities to the benefit of the national banks of the country and to the national banks alone.

Mr. GOLDSBOROUGH. Will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Maryland.

Mr. GOLDSBOROUGH. As I understand it, it is the purpose of the committee to offer an amendment at the proper time which will equalize the initial fee of the State banks and the national banks, is it not?

Mr. STEAGALL. Yes. I will say to the gentleman that that question will more properly arise when we reach that provision of the bill under the 5-minute rule for consideration of amendments. I want to say to the gentleman from Texas that the provision to which he refers has never been used, as far as I am informed. I hope the gentleman will

not allow me to spend too much time on a mere detail of this bill. I have great respect for the gentleman's judgment, and I appreciate his interest, but I want to get along to the things that are really controversial in this bill.

Mr. PATMAN. It is not a mere detail. It is using the Government's credit, and the question is whether it should be paid for.

Mr. STEAGALL. I may say there were two schools of thought in connection with the writing of the Federal reserve law. One was to permit the banks to issue the currency. There was another school of thought that held it was the function of the Federal Government to coin money and regulate its value, and that the Government should not surrender to the banks this sovereign right and duty. It was out of this contention that the provision went into the Federal reserve law that required the Government to stand back of notes issued by Federal reserve banks. The bill does not change the practice that obtains and has obtained since the enactment of the Federal reserve act.

Now, in reply to the gentleman from Georgia [Mr. Cox], I hope the gentleman will do me the courtesy to read the bill—

Mr. COX. Let me say to the gentleman I have read the bill.

Mr. STEAGALL. The gentleman is in error and I assumed the gentleman had only read the first bill which I introduced and which did limit the provision for protection of deposits to member banks of the Federal reserve system. A second bill, the one now before us, does include State banks in the plan for the protection of depositors.

Mr. COX. As the gentleman happens to know, I have read the bill and I recall its provisions. I know it was not the intention of the gentleman's committee to destroy the State banking system of the country; but if it had been the express design of the legislation to bring about that result, the gentleman could not have done more than is promised by the legislation that is now proposed.

Mr. STEAGALL. Will the gentleman now permit me to answer his question?

Mr. COX. Of course.

Mr. STEAGALL. I want to say to the gentleman that I assumed he might not have read the last bill. The bill now before us provides for a guaranty fund for depositors, not only in national banks, but depositors in State banks as well, and it was to that fact I desired to call the gentleman's attention. We are not attempting to limit the application of these funds for the protection of depositors in national banks or to member banks of the Federal reserve system.

Mr. COX. Will the gentleman allow me to state that the bill I have read is the bill for which consideration was provided by a rule from the Rules Committee?

Mr. STEAGALL. I thought, perhaps, the gentleman had confused the two bills.

Mr. COX. No; I have not confused the two bills. Will the gentleman permit me to ask him a further question?

Mr. STEAGALL. Certainly.

Mr. COX. In section 202 you simply provide insurance to depositors at the expense of the Government, provided you concede that the Federal Reserve Board is a Government agency and that its earnings belong to the Government.

Mr. McCORMACK. Will the gentleman yield?

Mr. STEAGALL. Let me answer the gentleman from Georgia a little farther. I want to say to the gentleman again that every dollar of stock in the Federal reserve banks and every dollar of deposits in the Federal reserve banks comes out of their member banks, just such banks as make up the banks of his community and of mine, and their earnings come out of operations with these banks, out of their capital stock, and out of rediscounts with those banks, except such as they may make in open-market operations which they are permitted to conduct under the Federal reserve law. This is how they get their money. There is not a man whom the gentleman can offer as an authority on

Federal reserve legislation who will stand up and say in this House that the earnings of the Federal reserve banks ought to go into the Treasury of the United States. I will say to the gentleman that in another body there is a gentleman for whom we have great respect and for whose ability we have the deepest admiration who is not in sympathy with the main provision of this bill, but that gentleman stated on the floor of the Senate during recent discussions that in good morals and in fairness not one dollar of the earnings of the Federal reserve system ought ever to have gone into the Treasury of the United States.

Mr. COX. Will not the gentleman permit me to ask if the member banks have not gotten value received for every dollar they have paid into the Federal reserve system?

Mr. STEAGALL. I may say to the gentleman that one reason banks have closed their doors in his district and in mine is because under the operation of the Federal reserve law they are no longer permitted to charge for the service they render in remitting checks to the large banks and wholesale houses in cities, for which service they used to earn thousands of dollars a year. Any banker in your district will support my contention.

Mr. COX. The gentleman is not contending that the loss of that revenue—

Mr. STEAGALL (continuing). And they are not getting above 6 per cent return on their stock in the Federal reserve banks, though in normal times they make much more than that, and they are not getting a dollar of return on the deposits which they carry in Federal reserve banks, and upon which, until the passage of the Federal reserve law, they were accustomed to collect from 2 to 3 per cent throughout the year.

Mr. COX. The gentleman, of course, is not seriously contending that the loss of revenue of the national banks that are members of the Federal reserve system, by reason of not being able to collect exchange for remittances on checks, is responsible for the bad condition of banking throughout the country.

Mr. STEAGALL. There are a lot of things that enter into the calculation when we go to cast up the whole account to ascertain all the difficulties in the banking world. There are a lot of things that enter into that. I am only pointing out some of the things that have played a part in bringing us into the trouble we are in now, and these things to which I have referred have played a big part—

Mr. STEVENSON. Will the gentleman yield for a suggestion?

Mr. STEAGALL. I yield with pleasure.

Mr. STEVENSON. The gentleman will recall the statement of the president of a bankers' association who appeared before us against this bill, who stated that the deprivation of the right to collect this exchange had deprived the banks, on the average, of a 6 per cent dividend, which in 15 years amounts to 90 per cent.

Mr. STEAGALL. They all agreed that the average bank, such as we have in your community and in mine, was accustomed to making, out of their charges for the services which they rendered in remitting checks to big banks and the wholesale houses, enough annually to constitute a fair return on their capital stock. The Congress voted on this proposition, and both Houses voted for an amendment to the Federal reserve law specifically denying the right to Federal reserve banks to prevent member banks from making reasonable charges for this service. The Federal reserve banks finally succeeded in requiring member banks to render this service for nothing. It has a lot to do with breaking down the independent banks of the country.

Mr. COX. Reverting to the statement of the gentleman from South Carolina [Mr. STEVENSON], does it not mean that so far as the national banks are concerned the Federal reserve system has been a curse rather than a benefit?

Mr. STEAGALL. I am not cursing anybody or any system. I am using a lot of time that I did not intend to use, because I want to discuss the main provisions of this bill.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. Yes.

Mr. McCORMACK. I note on page 11 that there shall be paid into such fund by the Treasury an amount equal to the entire sum heretofore paid to the United States as franchise tax by the Federal reserve banks.

Mr. STEAGALL. I am coming to that. This brings me to a consideration of the main provision of this bill, the provision for protection of deposits. Let me explain that provision. The bill creates a liquidating board to consist of the Secretary of the Treasury, the Comptroller of the Currency, and three members to be appointed by the President who shall administer a fund for protection of deposits. The bill provides a guaranty fund, in the following manner: First, we take out of the Treasury \$150,000,000, which is substantially the amount that has been paid into the Treasury in lieu of a franchise tax by the Federal reserve banks.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. If the gentleman will permit me to finish—

Mr. HARE. I gather from the gentleman's statement that a fund went into the Treasury that was not legally entitled to go there, and I assume that the gentleman is going upon the assumption that this \$150,000,000 should have gone to the original member banks of the Federal reserve system and is now held in trust by the Treasury Department for their benefit, and the gentleman seeks to use it as a part of a fund to guarantee deposits?

Mr. STEAGALL. The gentleman is a little in error. The fund was not paid into the Treasury illegally. The law provided that method of absorbing the earnings of the Federal reserve banks. It is not being held for member banks, but it has been paid into the Treasury. I will say there is no disagreement among men whose opinion the gentleman would accept that that fund does not of right belong in the Treasury of the United States. If the gentleman will read the debates in the Senate on the subject, he will find that I am amply borne out in the statement that I made, by the contention of Members who are regarded as highly informed, and as to this all of them are in agreement.

Mr. HARE. I want to clarify my statement. If I used the word "illegally," I did it inadvisedly, because I know that the law provides that it should go there; but, as I understood the gentleman, while it went there under the law, yet in obedience to good conscience and equity it really did not belong there but belongs really to the member banks of the Federal reserve system.

Mr. STEAGALL. Absolutely; and the provision for payment into the Treasury was put in the law purely as an automatic method of absorbing the earnings, if there should be any, though it was not expected there would be.

Mr. BLANTON. But I understood the gentleman to say that it did belong in the Treasury, where the Congress provided it should go.

Mr. STEAGALL. Has the gentleman heard my statement?

Mr. BLANTON. I have been listening to it all the time, and that is the meaning that I drew from it.

Mr. STEAGALL. I said it was paid into the Treasury legally but not rightfully.

Mr. BLANTON. And if by the passage of the gentleman's bill he can guarantee all deposits of our constituents all over the land, he will do more to restore confidence over the country than anything else that we have done in this Congress.

Mr. STEAGALL. That is what we are trying to do.

Mr. FITZPATRICK. I suggest that the gentleman be permitted to explain the bill.

Mr. STEAGALL. Just one moment. Let me answer the gentleman from South Carolina [Mr. HARE]. Not only is it true that there is no disagreement that these funds in good conscience belong to the member banks of the Federal reserve system and to their depositors, but the administration is now committed to the passage of a bill that is now pend-

ing in the Senate, receiving support on both sides of that body, which provides that funds may be loaned depositors in banks that are closed and that the funds to be loaned shall be made up in part of the fund that has been paid into the Treasury of the United States by the Federal reserve banks; and they do not stop in that bill at a provision for the payment of those funds back to depositors in member banks of the Federal reserve system, out of whom the profits were made, but that bill provides for the loaning of funds to depositors in State banks for the purpose of releasing frozen deposits and in trying to afford relief to communities that have suffered the horrors of bank failures. In passing, I will say that that bill ought to be enacted into law before this Congress adjourns.

It is not my bill; I did not originate it. I am not its author, but it is one of the suggestions of the President of the United States and ought to be enacted into law before Congress adjourns. I do not know why it is not being put forward.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. In a moment. Not only that, but the bill to which I refer, which has the approval of the administration and the sanction of the Comptroller of the Currency and the approval of Members on both sides of the Senate, has in it also a provision for taking part of the surplus funds of Federal reserve banks that were accumulated out of member banks and that those funds shall be used not only for the relief of depositors in closed banks in the Federal reserve system, but it provides for the use of those funds for the relief of depositors in State banks. The bill also provides for taking funds out of the Treasury for the same purposes. Is not that so, Mr. McFADDEN?

Mr. McFADDEN. Yes.

Mr. CELLER. As to the \$150,000,000 which is originally paid as a Federal reserve bank franchise tax, that money has been dissipated and paid out of the Treasury, so that if the Treasury must pay that back into this fund, the taxpayers of the Nation would have to defray the expense of the \$150,000,000. Am I not right in that conclusion?

Mr. STEAGALL. The gentleman is correct, unless the bill should provide, as could very easily be done, for reimbursement to the Treasury of that fund. I do not think the Treasury should be reimbursed. I do not think they should ever have taken one dollar of the earnings of these banks. I say that one of the reasons that depositors in your district can not get their money back out of member banks in which they deposited it is because those funds have been paid into the Treasury of the United States and into the surplus funds of the Federal reserve banks. These earnings should have been shared with member banks. It is generally admitted now that that should be done.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. STEAGALL. I yield.

Mr. SUMMERS of Washington. Would it not be agreeable for the gentleman to proceed without interruption, because many of us have connected statements to make?

Mr. STEAGALL. Yes. I must finish. There are other Members who want to discuss this bill and I must conclude.

Now, that is how we obtain the initial fund of substantially \$300,000,000. We get \$150,000,000 out of the surplus fund of the Federal reserve banks. We get \$150,000,000 out of the United States Treasury that was paid in in lieu of a franchise tax. Then the bill provides for the assessment of \$100,000,000 against member banks of the Federal reserve system, to be prorated on the basis of average deposits, and that State banks may be permitted to apply for the benefits of the guaranty fund and be admitted upon the payment of a double assessment of the amount assessed against member banks.

The deposits in national banks and State banks last June were \$56,000,000,000. They declined. In the member banks there is something like \$21,000,000,000, and there is \$30,000,000,000 in nonmember banks—about one and one-half times the deposits in State banks that are in the national banks and member banks.

That last provision should certainly raise at least another \$100,000,000, which would give something around \$500,000,000 initial guaranty fund.

Then there is a provision that the board may borrow from the Reconstruction Finance Corporation and pledge its future accretions to its guaranty fund for the repayment to the Reconstruction Finance Corporation, which would provide a potential fund of more than \$1,000,000,000.

Then there is a provision for levying annually \$100,000,000 against member banks of the Federal reserve system and assessing State banks annually the same as member banks, to keep up their annual assessments, which should constitute another \$100,000,000.

The bill provides that the assessments against the Federal reserve banks, assessments against member banks, and assessments against State banks shall only be called for when and as needed, and as against the banks it shall be collected in installments of 25 per cent. Any funds above \$500,000,000 may be deposited with contributing banks as deposits without interest.

The bill provides that when a bank is insolvent or closed, the board appoints a member, the stockholders a member, and the depositors a member of a committee, who shall assess and determine the value of the assets of the bank. Ninety days is allowed under the bill within which to do that. At the end of 90 days the board is required to pay not less than 50 per cent of all deposits that do not exceed \$1,000, and 25 per cent on all deposits that exceed \$1,000; six months later they are required to pay not less than 50 per cent additional to depositors whose deposits are not above \$1,000, and 25 per cent to other depositors; six months later they are required to pay not less than 25 per cent to all depositors, and six months later to pay all depositors in full. That gives 21 months within which to meet the requirements. Of course, it is not contemplated that that time would be used. In any ordinary bank failure that would occur the board would take over the bank, appraise its assets, and tell people to come and get their deposits. That would not happen many times until bank failures would be ended in that community.

But if a large bank were to fail there would not be any shock to the guaranty plan. In 90 days the board would take the cash and liquid assets of the bank and pay the first installment. Six months later the board would have collected from the assets of the bank enough to meet another installment, and certainly not before the time for the third payment would there be any need to make draft upon the guaranty fund, so that there would not be any substantial demand in case of a big bank failure against the guaranty fund until 21 months from the time the bank closed. During that time there would be the initial fund of \$1,000,000,000, and \$200,000,000 more that could be assessed against the banks that enter into the plan.

The records show that from the foundation of the national banking law in 1863, down to 1930, the total losses of all deposits in national banks and in member banks of the Federal reserve system amounted to only \$82,000,000. That was the testimony of the Comptroller of the Currency and it is in the record of hearings before the Committee on Banking and Currency of the House.

I have the figures here, but I shall not take the time to read them. The records show that for the 11-year period, 1921 to 1931, inclusive, the total deposits involved in all bank failures—State and National, member banks and non-member banks—amounted to only \$1,200,000,000 in round figures. Net losses to depositors could never amount to more than one-fourth or one-third of deposits.

So this bill would provide a fund sufficient within the first year of operation to enable it, without being required to borrow a dollar from the Reconstruction Finance Corporation and without having to assess a dollar against member banks or nonmember banks, to pay all losses that have accrued to depositors in all the banks of this country during the 11-year period from 1921 to 1931, inclusive, and still have nearly \$1,000,000,000 available to meet future contingencies. That is the kind of fund we have. It is ample to meet all demands. That would avoid the difficulties encountered in

States that attempted to set up systems for the protection of deposits. Those attempts were unsuccessful because the unit was too small; the banks were dependent upon 1-crop farming and the risks were too concentrated. Charters were granted banks indiscriminately; supervision had not been developed to proper standards. These failures, of course, constitute no valid argument against a plan for the banks of the entire Nation.

During 11 years deposits involved in all closed banks were \$1,200,000,000. I do not refer to losses but to deposits during those 11 years. The records show that we do not collect less than 25 per cent to 33 1/3 per cent out of the assets of banks that are closed. For nearly three-quarters of a century net losses were only little over \$1,000,000 annually.

Mr. MAY. Mr. Chairman, will the gentleman yield for a question?

Mr. STEAGALL. I shall be pleased to yield.

Mr. MAY. That figure includes more than 2,000 bank failures that have occurred recently up to the end of 1931.

Mr. STEAGALL. I have not looked at the figures for the moment.

Mr. MAY. It is something over 2,300.

Mr. STEAGALL. The figures are substantially correct.

Mr. MAY. I was going to suggest the exact figures are given in one of the speeches of the gentleman from Alabama.

Mr. STEAGALL. I have them all here.

Mr. MAY. The figure was given in the gentleman's argument on the Glass-Steagall bill in presenting that bill to the House, and the figure stated was 2,394 banks.

Mr. STEAGALL. The gentleman is substantially correct, and I thank the gentleman for giving the figures. There is so much of this I am forced to desist from going into detail, as much as I should like to do.

Mr. ANDREW of Massachusetts. Mr. Chairman, will the gentleman yield for a question?

Mr. STEAGALL. Yes.

Mr. ANDREW of Massachusetts. Is it the gentleman's idea in this way to make the deposits in the poorly managed banks as safe as those in the well-managed banks?

Mr. STEAGALL. Does the gentleman think the Congress of the United States should confess to the world that it is going to be content to allow banks to operate in which citizens can not safely deposit their money?

Mr. ANDREW of Massachusetts. I asked the gentleman a definite question.

Mr. STEAGALL. I am asking the gentleman from Massachusetts a question, too. I am going to answer his question, but I would like for him to answer my question.

Mr. ANDREW of Massachusetts. I would like to ask one further question.

Mr. STEAGALL. Let me answer the one the gentleman has just asked.

Mr. ANDREW of Massachusetts. Very well.

Mr. STEAGALL. I want to answer the gentleman. I take pleasure in answering him.

Of course this bill will not stop all bank failures. No legislation is going to stop all bank failures. It is not going to stop all our troubles in the economic world. I am not offering it for that purpose. But in answer to the gentleman I will say that the bill does provide for a more stringent supervision of banks.

There is a provision in the bill which authorizes the Comptroller of the Currency, when he finds that an official of a bank for any cause is not serving that bank in a way that is safe for depositors and creditors of the bank, to cite such an official to appear before the liquidating board, giving him the right to appear with counsel; and if the board decides his continued connection with the bank as an official is not promotive of the best interest and safe management of the bank, the board is authorized to require the removal of such an official.

Does that answer the gentleman's question?

Mr. ANDREW of Massachusetts. Has the gentleman not also in this bill taken away one of the safeguards that now exists in the national-banking system, supposing the bill were adopted; is not the double liability of stockholders

taken away, thus the doing away with their additional responsibility in supervising the management of the bank?

Mr. STEAGALL. Did not the gentleman hear what I said about double liability?

Mr. ANDREW of Massachusetts. I heard what the gentleman said.

Mr. STEAGALL. I regard the double-liability feature as an immaterial matter compared to the essential part of the bill, but I will repeat that the double liability has proven to be a deception to the public rather than a protection of the deposits intrusted to banks where the double liability laws obtain. A widow or minor who inherits bank stock finds the bank stock has subjected her to a suit in court for the amount which the bank stock purports to convey as an asset.

Mr. ANDREW of Massachusetts. Also, if the gentleman will permit—

Mr. STEAGALL. Wait a minute; I have not finished answering the gentleman yet about poorly managed banks.

Mr. ANDREW of Massachusetts. That is what I want.

Mr. STEAGALL. Where does the gentleman think the poorly managed banks are, may I ask him?

Mr. ANDREW of Massachusetts. I am not answering questions.

Mr. STEAGALL. The gentleman seemed to have a definite idea about poorly managed banks. I just wanted to see what the gentleman's thought was in order that I might be in position to address myself to his question intelligently.

Mr. ANDREW of Massachusetts. If the gentleman will permit, I may develop it a little further. If this bill makes no distinction in the safety of deposits in the poorly managed bank as compared with those in the well-managed bank, what incentive is there for any man to deal with a carefully managed, prudently managed, wisely managed, honestly managed bank if his funds will be just as safe deposited in a poorly managed, imprudently managed, badly managed bank?

Mr. STEAGALL. Does the gentleman think the public takes no more interest in it than that?

Mr. ANDREW of Massachusetts. It strikes me this is a very important thing if the bill serves to encourage poor banking.

Mr. STEAGALL. I have just explained to the gentleman that, on the contrary, we provide a more stringent method of supervision. I ask the gentleman, if the outstanding men of intelligence and ability in the banking world are compelled to enter into a system, having regard for the welfare of the commerce and industry of the whole people, as we required them to do when we forced them to join the Federal reserve system—if we bring them into this plan, does the gentleman think that their liability to the depositors of this country would not result in some effort on their part to improve banking methods and banking conditions throughout the United States? I am sure the gentleman would not say that such a thing would not result.

Now, let me say this to the gentleman: This bill is founded upon the most universally accepted and established principle known in the economic life of the world to-day, the principle of insurance. That is what it is founded upon. Every time you pay a premium on your life insurance you are made to contribute to the widow of a man who was killed in the San Francisco earthquake or who died during the yellow-fever epidemic in New Orleans. Every time you pay a premium on fire insurance on your home you contribute to the payment made by the fire-insurance company to the scoundrel who burns his home next week if he has obtained insurance on his home.

Mr. ANDREW of Massachusetts. I would like to ask the gentleman if the life-insurance companies and fire-insurance companies to which he has referred are Government companies or private companies?

Mr. STEAGALL. I have told the gentleman that we apply to this bill a principle that is accepted by the economists and business men everywhere throughout the civilized world. You talk about bank officials. They will not let a man be an officer in a bank unless he gives a bond through

an insurance company that he will honestly and prudently conduct the business of the bank. You make him give a bond that he will not steal the funds of the bank. Does the gentleman contend that the requirement that a man give a bond against theft makes him steal more than was stolen before?

Mr. ANDREW of Massachusetts. But the gentleman is not speaking about private insurance when he is discussing his bill.

Mr. STEAGALL. I am talking about the principle of insurance that is applied everywhere. You apply it to your automobile, and gentlemen out West apply it against storms. You insure yourself against your own carelessness and negligence, and the banks themselves will not loan a citizen a dollar on his home until he goes and insures it against fire. You would not loan a citizen the money with which to erect a Chic Sale structure down on a branch without requiring insurance against fire! That principle is universally applied. The Government will not risk a deposit in any bank without insurance. So it is with States and counties and all public funds. They all require insurance. Banks never fail to demand insurance on loans to other banks. Everybody is protected except the public. Their business is to furnish the money!

Mr. GARBER. Will the gentleman yield?

Mr. STEAGALL. I yield.

Mr. GARBER. The information which a great many Members desire is in reference to the restrictions made in section 208. If the State banks are not permitted to come in under the guaranty provision, it will put the State banks out of business.

Mr. STEAGALL. The bill permits State banks to participate in the plan and it is agreed by members of the committee that we shall liberalize that provision. There will be no trouble between the gentleman and myself about that.

Mr. GARBER. This limits State banks to a capital of \$25,000. There are many State banks with capital of less than that amount. I would also like to ask the gentleman if he believes the State banks throughout the country would be able to pass the strict supervision and examination required.

Mr. STEAGALL. I know what the gentleman has in his mind. I will say to the gentleman that when I first introduced the bill I thought the plan for protection of deposits should be applicable to national banks and member banks of the Federal reserve system, but when I began to study the proposition I found I had been misled as to the losses that have accrued to depositors in State banks. Then I amended the bill so as to let in State banks. When we get to that provision of the bill under the 5-minute rule I shall be glad to join the gentleman still further in any provision that will liberalize the law with reference to the admission of State banks in a way that I am confident will meet his approval. Now, let me make this statement—

The CHAIRMAN. The gentleman from Alabama has consumed one hour.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman may use as much time as he desires of the time at his command.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. STEAGALL. I made a study of the question and I found that the total amount of deposits in nonmember banks that closed during the 11-year period from 1921 to 1931, inclusive, is less than the total deposits in member banks that failed during that time. It was a surprise to me. That is true notwithstanding the fact that State banks, nonmember banks, carry deposits equal to one and one-half times the deposits that are carried by member banks of the Federal reserve system. That is why I assure the gentleman I shall be glad to join in liberalizing the provisions of this bill with respect to the admission of State banks into the system for protection of deposits, because it will be greatly to the advantage of the system to have those banks in with their larger deposits and smaller losses to absorb the burden and contribute to the accumulation of the guaranty fund.

Mr. SCHNEIDER. Has the gentleman such an amendment to offer?

Mr. STEAGALL. We will offer it at the proper time.

Mr. SCHNEIDER. Will the gentleman print the amendment in the RECORD?

Mr. STEAGALL. I do not have it ready, but there will be no difference between us on that point.

Mr. EATON of Colorado. Has the gentleman at his tongue's end the amount of deposits in these banks that failed, the member and nonmember banks?

Mr. STEAGALL. During that time from 1921 to 1931, inclusive?

Mr. EATON of Colorado. Yes.

Mr. STEAGALL. The gentleman is now asking me to go into details, which I did not want to do, but it was \$957,000,000 in nonmember banks, and \$733,000,000 in member banks. However, \$119,000,000 were involved in deposits in member banks that reopened and \$344,000,000 were involved in nonmember banks that reopened. So that there were in member banks liquidated \$614,000,000 deposits, and in nonmember banks liquidated \$613,000,000—and this, notwithstanding nonmember banks had about one and one-half times the amount of deposits that member banks had. This is all shown by Federal reserve bulletin of April, 1932. So that we find the amount of deposits in State banks that failed is less than the amount of deposits in member banks.

Mr. PARSONS. Will the gentleman yield for a brief question?

Mr. STEAGALL. I must get through. I regret I can not yield, but I must save time for other Members, and I hope the gentleman will later have an opportunity to express himself on this bill.

I simply can not cover all these matters as I should like to, but before I conclude let me say that loss of confidence is the worst factor in the distress that has come upon our country. Very little money is used in commerce. Ninety per cent of business in this country is done with bank credit and checks. We are concerned that our currency shall be solvent and its integrity preserved. Why are we not concerned with banks with which nearly all business is conducted? The integrity and solvency of checks on banks is indispensable to business, order, and prosperity. There are only five and a half billion dollars of what we call money in this country, and only \$1,000,000,000 of that in cash in the banks of the country with which to support \$50,000,000,000 of deposits. The other four billion dollars or four and a half billion dollars is out among the people, and it is agreed that at least one and a half billion dollars or two billion dollars of cash money that ought to be in the banks and employed to support credit and commerce and industry and agriculture is in hiding under mattresses, in tin boxes, in stockings, and buried under the homes of citizens who are afraid to trust their money on deposit in the banks of the Nation, for whose regulation and safe supervision and management you and I are responsible to the people of this country.

This is the situation in which we find ourselves. It is undermining our prosperity, lowering the price of commodities, and bringing distress to the treasuries of the Nation and of the States. It is disastrous to commerce. It has crippled industry and crushed agriculture. This state of fear is not limited to the public, to farmers, merchants, manufacturers, or other classes of citizens. Bankers are afraid. They live in constant fear of a withdrawal of their deposits.

So they have now in the neighborhood of \$10,000,000,000 of assets that are liquid and entitled to rediscount at the Federal reserve banks and these funds are idle and unemployed while business is paralyzed, causing distress, suffering, sorrow, even death among the citizenship of the Nation. The situation is unworthy of this great Republic, the clearing house of the world, this Republic, to which the world looks for leadership. You and I owe a duty to the people of this great commercial commonwealth and to the world.

We can not have a general revival of business, we can not have a complete recovery from the conditions under which

we suffer, until normal banking is resumed in the United States, and it is not going to be resumed until the public who furnish the money with which the banks do their business, take their money out of hiding and put it back in the banks, in order that it may supply the basis for an enlargement of deposits, an expansion of credits, an increase in values. This would enable debtors to pay their debts, and increase incomes for the support of the Government. It would restore a normal return from tax payers and put an end to the difficulty experienced in the effort to balance the National Budget. Every interest cries to us for relief from existing conditions.

The citizenship of the country desires and demands this legislation. They know where their interest lies and they understand that the purpose of the legislation is to afford them protection sorely needed and long denied. If Members do not believe this, I invite them to call at the rooms of the Banking and Currency Committee and let me show them my correspondence. I say to you frankly that in all my long service as a Member of this House I have never seen such universal support of any bill offered in Congress, and it is spontaneous and uninspired. It represents a voluntary appeal, born of suffering and distress, and it comes from all classes. I conscientiously believe that it represents the best thought of bankers themselves.

I know the campaign that is being carried on by a few big bankers against this measure. I know the methods they have employed. I expect to say more about this before consideration of this bill is concluded. I have the record to show that a few big bankers in Georgia came here to oppose this legislation and went back home urging bankers not to send telegrams or write letters but to have bankers call on Representatives in person to urge defeat of this measure. The big bankers clamored for legislation giving them access to \$2,000,000,000 of Treasury money to relieve them from results of their follies and mismanagement. We passed the legislation to save the Nation from threatened disaster. The only justification for it that can be offered has been the service rendered in preventing bank failures. Members who voted for that legislation voted for guaranty of bank deposits and out of funds to be supplied wholly by the Treasury of the United States or for which the Treasury of the United States is made responsible. That guaranty plan involves directly the Treasury of the United States.

Bankers who insisted upon that legislation and are enjoying its benefits are now lobbying against this bill which provides a sound method of deposit protection, placing the burden upon the banks of the country where it belongs. It is a measure which, had it been enacted earlier would have saved Congress from the necessity for passing legislation to save the banks at the expense of the Nation's Treasury. These same bankers are now lobbying against the bill now before this House. Members who desire may follow them. I will not. For one, I am going to meet my responsibility to the people of the Nation by giving support to the passage of this legislation that will at least contribute to the recovery of business and the return of prosperity throughout the United States. [Applause.]

Mr. McFADDEN. Mr. Chairman, I yield three minutes to the gentleman from Illinois [Mr. WILLIAM E. HULL].

Mr. WILLIAM E. HULL. Mr. Chairman, my opposition to this bill is chiefly directed to the provision that seeks to guarantee bank deposits.

I do not believe that this is a practical proposition. The idea has been tried out in several different States and, so far as my knowledge goes, has always proven to be a disastrous failure. We have just passed through what is perhaps the most critical period that our banking system has ever encountered. Banks in large numbers have failed throughout the country, big banks as well as little banks have failed, and in most every instance these failures have been the result of bad management, or at least due to the lack of conservative banking methods.

After the war the banking industry was expanded by leaps and bounds. Many banks were organized where there was no need of these additional banking facilities, and these

banks failed because there was not business enough to keep the bank alive, especially when the depression came. But these conditions may never occur again, and I do not believe that the Congress should, in a moment of hysteria, pass banking laws, revolutionary in character, that will have a tendency to upset the well-established banking system throughout the Nation.

Up until the war it was an almost unheard-of thing for a bank to fail, and I predict that as soon as a readjustment in the banking system has been made, banking conditions will be as safe as they ever have been in this Nation, and it is much better to have this accomplished in the natural way than to have it forced by unnatural laws.

When you guarantee bank deposits by law, you immediately penalize the honest and conservative banker for the mistakes made by bankers who are not conservative and even at times reckless in their negotiations. There never was a better time for Congress to take a common-sense view of propositions of this kind, and I hope that the bill will be defeated. [Applause.]

Mr. McFADDEN. Mr. Chairman, I yield 10 minutes to the gentleman from Georgia [Mr. BRAND].

Mr. BRAND of Georgia. Mr. Chairman, I think it right and nothing but fair to the committee, and especially to the Chairman of the Banking and Currency Committee, that I gave notice when I voted to report this bill out of the Committee I reserved the right to change my mind, if I reached such a conclusion, and to vote otherwise in regard to the bill. This is one of the most important bills that has come before this Congress, or that has been acted on up to date, and it deserves the serious consideration of every Member of the House of Representatives, whether he votes for it or votes against it. It is more or less embarrassing to me, because it is the first time in my experience in Congress that I have differed with the chairman of our committee, whether Mr. McFADDEN, chairman when the Republicans were in control of the House, or my friend, Mr. STEAGALL, whose friendship I esteem and whose ability I admire in the highest degree.

The guaranty-deposit fund provided for in this bill is a protection against loss to depositors of national banks and State banks members of the Federal reserve system. Notwithstanding that Congress has no jurisdiction of State banks not members of the Federal reserve system, section 208 of the bill undertakes to give protection to depositors of such banks under conditions and stipulations therein provided.

However, there is no provision in the bill which proposes to take care of State banks not members of the Federal reserve system with a capital of less than \$25,000. There are a number of banks throughout the United States, particularly in the agricultural sections, which have a capital of less than \$25,000 and therefore they are excluded from the protection provided for in this bill.

It virtually outlaws every private bank and State bank not in the system throughout the entire United States.

Mr. GARBER. Mr. Chairman, will the gentleman yield?

Mr. BRAND of Georgia. Yes.

Mr. GARBER. In response to a question that embodied the gentleman's objection, the chairman assured the Members that he would be favorable to an amendment to section 208 which would lower the requirement of admission of non-member banks to an amount of capital that would include them all and liberalize the other requirements in regard to inspection, so that all could become members.

Mr. BRAND of Georgia. Gentlemen can talk that way about it and feel that way about it, but it is not in this bill. The law now is that no bank can become a member of the Federal reserve system unless it has a capital and surplus of at least \$25,000.

Mr. GARBER. The bill provides, as I understand it, that nonmember banks may be admitted for guarantee purposes only, and not be required to go into the Federal reserve system. Is not that correct?

Mr. BRAND of Georgia. With the proviso that the banks are given two or three years to get ready to go into the

system, and also with the proviso that they pay twice the tax other member banks have to pay.

Mr. ALMON. What percentage of State banks are now in the Federal reserve system?

Mr. BRAND of Georgia. I am going to tell you that.

As of December 31, 1931, there were 6,368 national banks in the United States, 878 State banks members of the Federal reserve system, and approximately 14,000 State banks not members of the Federal reserve system. In the State of Georgia, for instance, there are 258 banks located in the agricultural sections which are not members of the Federal reserve system, 50 of which have only \$15,000 capital.

We are asked to support a bill which requires 7,246 banks to take care of losses to depositors of 14,000 other banks located in every State in the Union. I respectfully submit for your serious consideration that these 7,246 banks should not be taxed and held responsible for the losses to depositors in all the other banks of the United States. Why require the banks in North Dakota, and Minnesota, for instance, to pay the losses of depositors in insolvent banks in the States of South Carolina, Alabama, or Georgia? Why should the stockholders of the banks of Georgia be responsible for the losses sustained by failure of the banks in Michigan; or why should the banks in Chicago be taxed to pay the losses to depositors in insolvent banks in New York? I contend there is no justice or equity in requiring banks in one State to pay the losses sustained by depositors in failed banks in another State, or to tax banks in one section of a State for the purpose of taking care of the losses to depositors in a bank located in another section of the State.

As the proposed legislation covers every State in the Union, I think the guaranty fund should come out of the Treasury of the United States, and, if necessary, by the issuance and sale of bonds; and if the bonds are not sold, same to be given to the Federal Reserve Board for issuing notes against them, provided the accumulated franchise tax is not sufficient for this purpose, so that every taxpayer of the country will, upon a reasonable and sensible basis, bear his proportion of the losses to depositors and share equal credit for doing so, instead of putting the burden upon the 7,246 member banks. I believe in the doctrine and the principle that depositors should be protected against loss, but I do not believe that the solvent banks should be forced to carry the whole loss.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. McFADDEN. Mr. Chairman, I yield the gentleman from Georgia five additional minutes.

Mr. BRAND of Georgia. In 1926 I introduced a bill for this purpose. At that time the Republicans were in control of every branch of the Government, and the gentleman from Pennsylvania [Mr. McFADDEN] was then the chairman of the Banking and Currency Committee of the House.

The bill I introduced did not provide for an assessment against the national banks and the State banks members of the Federal reserve system. It contained no provision which taxed banks to pay any part of the guaranty fund. It did not tax a State bank in the system or out of the system one single dollar. There was no assessment upon any bank in order to make up the guaranty fund. I introduced it for two or three different terms after 1926, but I could never get a hearing, because the Republican administration then in power was opposed to such legislation, and it died without the benefit of clergy. The distinguished gentleman from Arkansas [Mr. WINGO] was the ranking Member and his right bower was the gentleman from Alabama [Mr. STEAGALL], the present chairman. The gentleman from Pennsylvania [Mr. McFADDEN] was opposed to it, just as he is now. All the administration and everybody connected with the administration was opposed to this bill, and they are all opposed to the Steagall bill. If you can show me a recommendation from Secretary Mills or Governor Meyer or any member of the Federal Reserve Board or the Comptroller of the Currency in favor of this bill, I will be willing to take my seat and not discuss the bill further.

Mr. STAFFORD. Will the gentleman yield?

Mr. BRAND of Georgia. I yield.

Mr. STAFFORD. Who is in favor of it, other than the gentleman from Alabama [Mr. STEAGALL]?

Mr. BRAND of Georgia. Three-fourths or four-fifths of the Committee on Banking and Currency reported it out; and it may pass. I do not know.

Mr. STAFFORD. Then, it is not a unanimous report?

Mr. BRAND of Georgia. Yes. It was a unanimous report, with reservations.

Mr. STAFFORD. With the reservation of a bludgeon on the part of some to attack its very vitals as being not sound financially or governmentally?

Mr. COX. Will the gentleman yield?

Mr. BRAND of Georgia. I yield.

Mr. COX. I would like to have the gentlemen tell what this law will do to the State banks.

Mr. BRAND of Georgia. It will put them out of business; that is what it will do.

Mr. McFADDEN. Will the gentleman yield?

Mr. BRAND of Georgia. I yield.

Mr. McFADDEN. The gentleman has just stated, if I understood him correctly, that this was a unanimous report from the Committee on Banking and Currency. I would like to clarify that and say that I was not present when the bill was reported out. If I had been present I would have voted against it.

Mr. BRAND of Georgia. I am glad to be corrected, because I have no desire to misrepresent anybody.

If my bill had been enacted into law in 1926, the number of bank failures would have been reduced to a minimum and millions of dollars would have thus been saved to the depositors. If the Steagall bill, which proposes to assess the banks for the purpose of creating the guaranty fund, had been in effect, it would mean that these 7,246 banks of the United States would have had to bear the loss to depositors in all insolvent banks since 1926, which in all probability would have put 50 per cent of them out of business.

Under section 201a of the Steagall bill the guaranty fund is made up as follows: There is to be paid into the fund (1) by the Government, the franchise tax heretofore paid to the United States, 1914-1930, inclusive, \$147,126,882; (2) by Federal reserve banks, out of the surplus now in the hands of the 12 Federal reserve banks, each bank to pay an amount which bears the same ratio to the said \$150,000,000 as its surplus bears to total surplus of the 12 banks on December 31, 1931, \$150,000,000; (3) by member banks, a total not to exceed, unless a less amount is fixed by the board, \$200,000,000.

The number of nonmember banks, by States, as of December 31, 1931, is as follows:

[Figures for a few States are as of the nearest call date prior to December 31, 1931, no call having been made as of December 31 by the banking departments of such States.]

States, by geographic divisions	Total non-member banks ¹	Total, excluding mutual savings and private banks
New England:		
Maine.....	70	38
New Hampshire.....	64	14
Vermont.....	55	36
Massachusetts.....	261	65
Rhode Island.....	21	12
Connecticut.....	155	80
Middle Atlantic:		
New York.....	408	237
New Jersey.....	154	124
Pennsylvania.....	466	437
East North Central:		
Ohio.....	507	463
Indiana.....	562	468
Illinois.....	865	865
Michigan.....	377	377
Wisconsin.....	722	717
West North Central:		
Minnesota.....	623	620
Iowa.....	727	727
Missouri.....	817	817
North Dakota.....	160	160

¹ Excluding private banks not under State supervision.

States, by geographic divisions	Total non-member banks	Total, excluding mutual savings and private banks
West North Central—Continued.		
South Dakota.....	178	176
Nebraska.....	469	469
Kansas.....	685	682
South Atlantic:		
Delaware.....	29	27
Maryland.....	128	114
District of Columbia.....	27	27
Virginia.....	249	249
West Virginia.....	116	116
North Carolina.....	235	235
South Carolina.....	85	84
Georgia.....	232	232
Florida.....	133	133
East South Central:		
Kentucky.....	386	386
Tennessee.....	312	312
Alabama.....	164	162
Mississippi.....	195	195
West South Central:		
Arkansas.....	211	210
Louisiana.....	165	165
Oklahoma.....	275	275
Texas.....	530	530
Mountain:		
Montana.....	85	84
Idaho.....	74	74
Wyoming.....	48	48
Colorado.....	129	129
New Mexico.....	22	21
Arizona.....	19	19
Utah.....	53	53
Nevada.....	22	22
Pacific:		
Washington.....	161	157
Oregon.....	94	94
California.....	202	201
Total.....	12,722	11,938

In many sections of the country stock in banks can not be sold to anybody at any price, and in many States in the Union banks decline to loan money to anyone. So we have the situation confronting us where the banks are afraid to loan money and are not loaning it to meet the demands of the people, and the depositors are afraid to leave their money with the banks. The public is demanding, and justly so, that some law be enacted, sound in principle and not burdensome, which will insure depositors they will get their deposits when called for. And yet no administration since the World War has made any effort to make this result effective. President Harding's administration did not undertake to do so. The administrations of President Coolidge did not, and the administration of President Hoover has not submitted any plan to do so. To my certain knowledge, the Treasury Department under the administrations of Presidents Coolidge and Hoover were opposed to any legislation guaranteeing protection to depositors in banks. The Secretary of the Treasury, the Comptroller of the Currency, the governor and every member of the Federal Reserve Board under both of these administrations were opposed to such legislation, and they are now opposed to the Steagall bill. Failure of Congress to pass a guaranty deposit bill and Wall Street manipulations and activities under the last two administrations and Wall Street's baneful influence with the capitals of the world, including this country, are two of the major causes of the unprecedented and destructive panic which has shocked the world.

I can not support the Steagall bill:

(a) Because the small banks, especially in the agricultural sections have earned but little money, if any, during the last two or three years, and the large banks for some reason or other are not functioning properly. They are not loaning money as they should. This complaint is general from one end of the country to the other, and to pass legislation of this character would give them another reason for refusing to make loans.

(b) Because taxing National banks and State banks, members of the Federal reserve system, to create the guaranty fund is unsound, inequitable, and unjust. The Steagall bill fixes the maximum fund of \$200,000,000 and requires member banks to contribute an amount which bears the same

ratio to this fund as its average deposits bear to average deposits of all member banks. The total deposits as of December 31, 1931, were \$30,746,386,000, the percentage of which is 0.00325. Upon this basis the assessment for the first year on member banks of the system is as follows:

\$50,000.....	\$162
\$100,000.....	325
\$200,000.....	650
\$300,000.....	975
\$400,000.....	1,300
\$500,000.....	1,625
\$600,000.....	1,950
\$700,000.....	2,275
\$800,000.....	2,600
\$900,000.....	2,925
\$1,000,000.....	3,250
\$2,000,000.....	6,500
\$3,000,000.....	9,750
\$4,000,000.....	13,000
\$5,000,000.....	16,250
\$6,000,000.....	19,500
\$7,000,000.....	22,750
\$8,000,000.....	26,000
\$9,000,000.....	29,250
\$10,000,000.....	32,500

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

Mr. GOLDSBOROUGH. Mr. Chairman, I yield to the gentleman from Georgia 10 additional minutes.

Mr. ALMON. Have the hearings on this bill been printed?

Mr. BRAND of Georgia. Oh, yes.

In the year 1931 there was not a single national bank failure in Vermont, Maine, Rhode Island, and Connecticut. The total deposits of 160 national banks doing business in those States was \$444,971,000, as reported in September, 1931; yet under the Steagall bill those banks which have enjoyed such a record for safety would be compelled to pay an amount equal to \$1,334,913 for the privilege of taking care of little banks in the South and West and East, wherever they fail. It is an outrageous proposition it seems to me. If you are going to have a guaranty fund, take it from the Treasury of the United States, where you go to get funds for everything recommended by the President and all the leaders of the House and the leaders in the Senate, including the gentleman from Texas [Mr. PATMAN], who is so keenly and intensely interested in the bonus bill. Take it out of the Treasury. [Applause.]

Mr. GARBER. Will the gentleman yield?

Mr. BRAND of Georgia. I yield.

Mr. GARBER. I have a high regard for the gentleman's legal ability. Is it the gentleman's opinion that the bill could not be amended so as to bring into the guaranty provision all of the nonmember banks?

Mr. BRAND of Georgia. It can be provided for, but the banks can not come in unless they are in such financial condition as to meet the approval of the Treasury Department. Besides, some of them do not want to come in.

Mr. REILLY. Let them stay out.

Mr. BRAND of Georgia. They are staying out.

Mr. COX. Will the gentleman yield further?

Mr. BRAND of Georgia. I shall be pleased to.

Mr. COX. In other words, if this bill goes into effect every weak State bank in the country that can not qualify must close.

Mr. BRAND of Georgia. That is my contention.

Mr. LaGUARDIA. Why should they not close if they can not qualify?

Mr. COX. Simply because they can not compete as against national banks subsidized by the National Government, as is provided in the proposed bill.

Mr. BRAND of Georgia. Mr. Chairman, I can not yield for the gentlemen to carry on a colloquy.

I can not get much excited about a bill which would force nonmember banks into the Federal reserve system against their will because the charges Mr. STEAGALL referred to could not be collected by the banks after they became members of the system. Besides, member banks do not get interest on the reserve fund banks are required to maintain.

(c) Because this bill takes away from the Federal reserve system over half of the net earnings of the system as

of April 6, 1932, which was \$259,421,000. The surplus of each Federal reserve bank is as follows:

Boston.....	\$20,039,000
New York.....	75,077,000
Philadelphia.....	26,486,000
Cleveland.....	27,640,000
Richmond.....	11,483,000
Atlanta.....	10,449,000
Chicago.....	38,411,000
St. Louis.....	10,025,000
Minneapolis.....	6,356,000
Kansas City.....	8,124,000
Dallas.....	7,624,000
San Francisco.....	17,707,000
Total.....	259,421,000

If this amount of money is to be taken from the earnings of the Federal reserve system, I would suggest that the same be returned to the member banks of the system who paid and caused this accumulation of earnings.

As a matter of information, I am including in this address the gross and net earnings and expenses of all Federal reserve banks and also of each Federal reserve bank from 1914 to 1930, inclusive.

Gross earnings for Federal reserve system.....	\$941,052,065
Total expenses for Federal reserve system.....	417,847,900

Net earnings for Federal reserve system.....	523,204,165
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Gross earnings for Federal reserve, Atlanta.....	46,484,095
Total expenses for Federal reserve, Atlanta.....	22,774,963

Net earnings for Federal reserve, Atlanta.....	23,709,132
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Gross earnings for Federal reserve, Boston.....	64,301,175
Total expenses for Federal reserve, Boston.....	28,371,548

Net earnings for Federal reserve, Boston.....	35,929,627
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Gross earnings for Federal reserve, New York.....	273,116,241
Total expenses for Federal reserve, New York.....	95,077,273

Net earnings for Federal reserve, New York.....	178,038,968
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Gross earnings for Federal reserve, Philadelphia.....	70,835,186
Total expenses for Federal reserve, Philadelphia.....	28,709,532

Net earnings for Federal reserve, Philadelphia.....	42,145,654
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Gross earnings for Federal reserve, Cleveland.....	81,781,907
Total expenses for Federal reserve, Cleveland.....	38,089,978

Net earnings for Federal reserve, Cleveland.....	43,691,929
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Gross earnings for Federal reserve, Richmond.....	45,280,078
Total expenses for Federal reserve, Richmond.....	22,070,963

Net earnings for Federal reserve, Richmond.....	23,209,115
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Gross earnings for Federal reserve, Chicago.....	134,478,670
Total expenses for Federal reserve, Chicago.....	57,023,387

Net earnings for Federal reserve, Chicago.....	77,455,283
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Gross earnings for Federal reserve, St. Louis.....	\$41,654,421
Total expenses for Federal reserve, St. Louis.....	24,076,969

Net earnings for Federal reserve, St. Louis.....	17,577,452
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Gross earnings for Federal reserve, Minneapolis.....	31,008,468
Total expenses for Federal reserve, Minneapolis.....	15,330,485

Net earnings for Federal reserve, Minneapolis.....	15,677,983
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Gross earnings for Federal reserve, Kansas City.....	45,907,568
Total expenses for Federal reserve, Kansas City.....	26,421,013

Net earnings for Federal reserve, Kansas City.....	19,486,555
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Gross earnings for Federal reserve, Dallas.....	33,972,462
Total expenses for Federal reserve, Dallas.....	20,843,698

Net earnings for Federal reserve, Dallas.....	13,128,764
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Gross earnings for Federal reserve, San Francisco.....	72,231,794
Total expenses for Federal reserve, San Francisco.....	39,088,091

Net earnings for Federal reserve, San Francisco.....	33,143,703
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(d) Because the pending bill would drive the nonmember banks into the Federal reserve system against their will if qualified, or put them out of business. Congress ought not

to pass any law which would force the nonmember banks into the Federal reserve system against their will. Even if these nonmember banks, in order to get the guaranty protection, are willing to become members of the Federal reserve system, many of them in all probability would have serious difficulty in complying with the requirements of the office of the Comptroller of the Currency and the Federal Reserve Board.

Should a nonmember bank's application to become a member of the Federal reserve system be turned down and if this information should become public, a run on this bank would be inevitable, ending in closing its doors.

If these nonmember banks should apply for and succeed in meeting the requirements of the Treasury Department, thereby becoming members of the Federal reserve system, they are required under the provisions of this bill to be assessed or taxed double the amount placed on State banks already members of the system. Many of the State banks not members of the Federal reserve system can not afford or can not qualify to become members of the system on account of the requirements of the system, which would mean the closing of many of the State banks not members of the Federal reserve system, and all of the State banks with capital of less than \$25,000 would have to close their doors since no person would deposit money except in a guaranty bank.

(e) Because all the State banks not members of the Federal reserve system with a capital of \$25,000 and less are ineligible to obtain the benefits of the guaranty fund proposed in this bill.

(f) Because this bill discriminates against member banks. Section 202 (d) provides if the guaranty fund is found more than adequate the board may refund to each Federal reserve bank and to each national bank an amount which bears the same ratio to the excess as the amount which each such bank contributed, whereas there is no provision for a refund to State member banks.

After all is said and done upon this proposition it is very simple. It requires the good banks to take care of the bad banks, the strong banks to take care of the weak banks, the solvent banks to take care of the insolvent banks, and that burden would be put upon 7,246 banks. This bill furnishes no protection whatever to small banks with less than \$25,000 capital. It gives only a conditional protection to all nonmember banks having capital of over \$25,000 throughout the entire country.

We should frame some sane and sound guaranty law, reasonable and equitable in its enforcement, and get the funds out of the pockets of Uncle Sam without taxing the banks which are now in more or less trouble and making no money. [Applause.]

Mr. COX. Will my colleague permit me to call attention to another inequality carried by the bill against the State banks? It relieves stockholders in national banks organized from a day subsequent to the adoption of the bill of the double liability clause.

Mr. BRAND of Georgia. Yes.

Mr. COX. This means a reorganization of all existing banks in order that stockholders may be relieved of the double liability clause. And in that connection permit me to further state that most of the States have this same provision in their State banking laws.

Mr. BRAND of Georgia. I can not touch upon all the objections I have against this bill. I have honestly given you my objections to this bill from my point of view.

Mr. STEAGALL's heart is all right, but his thinking is wrong about this thing. There are 7,256 banks which will have to carry the tax and they do not want to do it.

The American Bankers Association has declared against it. The Georgia Bankers Association has declared against it. The Country Bankers Association of Georgia has declared against it. I think I owe it to my State, to the member banks of the Federal reserve system, as well as the banks who are not members of the Federal reserve system to go on record against the proposition of taxing any bank anywhere in the United States to create this guaranty fund, and I place my objections on record with pleasure. [Applause.]

I am heartily in favor of a sound and safe deposit fund law, and that such a law should be enacted for the protection of depositors, but the money necessary for the purpose of creating a guaranty fund should be appropriated out of the Federal Treasury, but in no case should a tax be levied on member banks for this purpose.

Mr. Chairman, I have some statistics here I did not read in their entirety. I ask unanimous consent to revise and extend my remarks and therein include the same.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. BRAND of Georgia. Mr. Chairman, I yield back the balance of my time. [Applause.]

Mr. McFADDEN. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, this bill is a leap into a chasm of uncertainty. It is unsound in principle and should not be enacted into law. It undoubtedly comes about at this time because of a situation which exists in this country, due largely to the disorganization of finance and economics caused by the depression which started in 1929, resulting in many bank failures, due to losses and depreciation in values throughout the country.

It is a subsidy on the part of the Government of the United States, the same kind of a subsidy, only more definite, than that which was granted when a franchise was given by the United States to the Federal reserve system.

I want to point out in the first instance what the franchise is that was granted to the Federal reserve system by the United States Government. It is the franchise of note issue, which at this time amounts, in round figures, to \$2,700,000,000. The United States is now to be deprived of any earnings from that source. The Federal reserve banks have the use of that \$2,700,000,000 in Federal reserve note issue. They place it in their assets and they have the benefit of the earnings that accrue from investment of this cash. In addition to that the United States pays the Federal reserve system for certain fiscal operations. The banks of the United States which are members of the Federal reserve system also contribute a fund to the operation of the Federal reserve system in that they contribute something over \$2,100,000,000 in deposits, for which the member banks receive no income in the way of interest, which the Federal reserve system loans at the usual rate and has the benefit of whatever income they may receive from that source. These member banks also contribute the entire capital stock and there is also contributed for the use of the system the surplus funds which have been accumulated from the earnings of the Federal reserve system, which surplus, in case of liquidation, belongs to the United States Government. It is a nice franchise which the United States Government is giving to the Federal reserve system, and embodied in that is the control of the issuance of money and credit. No other franchise of equal importance was ever granted by the United States Government to any organization of any kind. This power to control the money and credit is the power to control prices.

At this particular session of Congress there have been enacted several pieces of legislation which have to do with the Federal reserve system, not the least of which is the Reconstruction Finance Corporation, a creation by the United States Government, with a capital of \$500,000,000, which is authorized to issue \$1,500,000,000 of debentures to be sold. To whom? Under the operation of the plan, with the large requirements of the United States Government for refunding operations and to make up deficits other than that provided in the tax bill, the Government of the United States has got to borrow large sums of money. If I read the situation correctly, the Treasury of the United States is not going to permit the Reconstruction Finance Corporation to go into the market and bid against the needs and requirements of the Public Treasury. You gentlemen will recall, I am sure, that there is a provision in that law to the effect that the Treasury can purchase these Reconstruction Finance Corporation obligations. I am simply mentioning that to show that the United States Government gives away a franchise to issue money and credit to the Federal reserve system. I also call attention to the fact that

when the United States Government wants money it has to pay that system for the money, and that is particularly true if, under the Steagall-Glass bill, it is necessary for the system to inflate in order to take care of the requirements of the Government and meet the demands of the Reconstruction Finance Corporation.

Here in this bill we have a further franchise of that same character. It has been tried out in several of the States, and I want to point out the fact that in each one of these States it has failed. It is a class of risk that the surety companies and insurance companies of the United States are not willing to carry; in fact, at this time the surety companies which have been carrying on the surety business for special deposits of States and local political subdivisions on funds which belong to schools, towns, or cities are withdrawing entirely from that field, and for some time past, before they retired entirely from it, these surety companies were requiring the banks to put up an equal amount of good securities to cover that risk. The surety companies have been charging one-half of 1 per cent, and they have been losing money on that operation. Now they are refusing to guarantee these deposits in banks—

I say this is a Government subsidy. It is a Government subsidy, and I will show you how and why. The bill provides that the guaranty fund shall be made up how? First, by the Government. The franchise tax heretofore paid to the United States, from 1914 to 1930, inclusive, \$147,000,000. That means that the money comes directly out of the Public Treasury and it must come out of taxes or borrowings. It will increase the Treasury deficit; it will unsettle conditions and to that extent further unbalance the Budget that we are hearing so much about these days. The Federal reserve banks are to contribute \$150,000,000. From what fund? From the surplus fund, which belongs to the United States Government and not to the banks. So there is practically \$300,000,000 of this guaranty fund that is contributed by the United States Treasury. There is no one here who will argue for a moment that that is not an assumption of the guaranty fund by the United States Government. Of course it is. The Government will be called on for that fund, just as we are being called upon at this session to take care of Government-organized institutions, organized with Government money, and which in the first instance it was argued would make no further demands upon the Public Treasury. But they are making further demands, and, as to this guaranty fund, certainly no one can claim for one moment that this is not the establishment of a guaranty of bank deposits by the Government of the United States. The Government is to appropriate directly one hundred and forty-seven million and odd and furnish \$150,000,000 from Federal reserve surplus which belongs to the United States.

Mr. EATON of Colorado. Will the gentleman yield?

Mr. McFADDEN. Yes.

Mr. EATON of Colorado. Is there any difference between the word "guaranty" and the word "insurance" in connection with these bank deposits?

Mr. McFADDEN. I am using the expression that has been used here generally.

Now, the establishment of this fund is not going to stop bank failures. If anything, it will encourage, through irresponsible management, more bank failures. One of the finest things about sound banking to-day is sound management. This is going to permit promoters and schemers to buy up banks and to use them because the deposits will be insured.

I was told last summer in New York by some of the men engaged in the investment-banking business, some of the men who have been largely responsible for the exploitation of the banks and have caused to a large extent many failures of banks and individuals by unloading improper securities on the innocent country bankers and others, many of the securities being foreign securities, that we were going to pass a guaranty of deposits bill at this session of Congress. I said, "What is the idea? I do not believe there is sentiment for such an unsound proposition." They replied, "I will tell you why you are going to do it."

"These investment bankers who have been engaged in the sale of foreign securities in the United States and who have been engaged in various combinations of domestic institutions where they have pyramided assets and sold at par or better in a willing market securities that were not worth 10 cents on the dollar, as has been proven by the market statistics of to-day, are afraid to meet the great number of depositors of failed banks, because they are responsible for having invested the deposits belonging to depositors in these phony securities, and therefore they are insisting that the United States Government step in and guarantee deposits to the great mob of depositors throughout the country, fearing that if the situation develops into a greater disaster these depositors, knowing now who is largely responsible for the exploitation of their sacred deposits, will en masse cause a disturbance, and fix responsibilities on these so-called investment bankers, some of whom are the so-called international group."

Do you want to pass legislation for purposes of that kind, to guarantee the losses and mistakes of these bankers? If so, pass this bill.

I am opposed to this bill for these reasons. It will encourage reckless and unsound banking. There is no guaranty that the plan will be successful and will not break down as it has in all States where it has been tried. It will place an undue burden on the banks, which many will be unable to meet. It discriminates against State nonmember banks. It does away with double liability on stock, which I feel is very essential. Let me say something here. The chairman of the committee has referred to double liability as nonproductive. Let me touch upon one phase of the situation which this particular clause will greatly facilitate, and that is the question of chain banking and holding-company banking, and in this connection I want to mention briefly the irresponsible stockholders of bank stocks in this country.

Many people own bank stocks to-day in the names of dummies to escape all responsibility. This not only applies to banking but applies to many of our large industries and railroads. You will find by looking over the stockholders' list of our large corporations that the managing officers or the control hold comparatively few shares in the institutions which they are managing, and this is particularly true at the present time. This was brought to my attention a few weeks ago by reference to the small amount of stock held by the individual directors of the United States Steel Corporation. According to the press many of them hold only 10 shares of stock.

This provision will remove an obstacle from holding companies organized for the purpose of controlling bank stocks, because one of the impediments there is this undisclosed stockholders' liability or this double liability. I think it is a particularly dangerous thing on that account and will tend to accelerate holding-company buying and holding stocks in banks.

Mr. STAFFORD. Will the gentleman yield for a question in that particular?

Mr. McFADDEN. Yes.

Mr. STAFFORD. Then the statement made by the gentleman of the actual practice rather confirms the position that double liability is not a real asset to the depositors of failed banks?

Mr. McFADDEN. I say it will accelerate ownership by holding companies which engage in chain and group banking, because they are deceived now from doing this to a certain extent by the fact there is an undisclosed, double liability.

Mr. STAFFORD. My impression, so far as banks in my home city are concerned, is that they do not resort to that practice and that the stock is held by the real owners and not by dummy ownership.

Mr. McFADDEN. During the last few years it has been most unfortunate that speculation has been engaged in in bank stocks to such a large extent. Certainly, it has changed the whole situation so far as ownership of banks

is concerned and put many of them in the category of speculative stocks.

Sound, conservative management is the keystone of success of any business, whether it be banking, lumber, or groceries; and while I realize that economic conditions have been in a large measure responsible for our recent wave of bank failures, I also know that we have 20,000 going banks and that many banks which have failed would not had they been properly managed.

It has not been unusual for a bank on one corner to close while its conservatively managed neighbor bank on the opposite corner survived and is still doing business. What this bill proposes is to say, in effect, to the well-managed bank, You have a competitor who is weak, is badly managed, which may fail, and we are going to penalize you, your depositors and stockholders to pay for the bad management of this other institution. With what result? Obviously, the answer—Why should I strive to run a good bank; why not take chances and risks as does the other bank if I am to be penalized?

If you are in the grocery business, the law business, or newspaper business, why should you who run a well-managed, successful institution be penalized to pay for the mistakes of others in the same line of business, and that is what we try to do here, except it is the banking business.

I am not a banker; but common sense indicates that if this bill becomes law it will do more than anything else to promote reckless banking. No plan of insurance or guaranty, either applied to bank deposits or to any form of credit or property is sound or can long be successfully maintained where a uniform premium is assessed upon all participants, strong or weak, good or bad, alike.

Let us see what the experience of the States has been with respect to the guaranty of deposits. All the laws on this subject in the States have either been repealed or are inoperative. In other words, such plans have failed. Page 34 of the hearing before the subcommittee shows the following:

Oklahoma: Enacted in 1907 panic, inoperative in 1921, due to fund being practically insolvent, repealed March 31, 1923, deficit between \$7,000,000 and \$8,000,000.

Kansas: Enacted in 1909, a voluntary system, not requiring payment in full, balance assessed after full liquidation, repealed 1929, deficit \$7,000,000, inoperative since 1926.

Texas: Enacted in February, 1925; made optional bond security system, guaranteeing system; became practically inoperative in that year; repealed 1927; deficit \$16,000,000.

Nebraska: Enacted 1911; repealed March 3, 1930; deficit \$20,000,000.

Mississippi: Enacted 1914; suspended March 11, 1930, due to deficit of \$3,000,000 to \$4,000,000.

South Dakota: Enacted in 1915, repealed in 1925 by legislature, reinstated by moratorium in 1926, finally repealed in 1927, deficit \$32,000,000.

North Dakota: Enacted in 1915, repealed in 1929, deficit \$14,000,000.

Washington: Enacted in 1917; voluntarily canceled when Scandinavian Bank in Seattle failed with deposits of \$9,000,000, and then all of banks in system withdrew warrants issued and not paid; inoperative since 1921.

Mr. ADKINS. Mr. Chairman, will the gentleman yield?

Mr. McFADDEN. Yes.

Mr. ADKINS. In those States, one of them in particular, where the deposits were guaranteed, the newspapers gave out a statement at one time that they had a bank for every 780 people.

Mr. VINSON of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. McFADDEN. Yes.

Mr. VINSON of Kentucky. Could the gentleman tell us what was the amount paid into that fund in the various States?

Mr. McFADDEN. I have not those data here. If I can get them, I shall put them into the Record.

Mr. VINSON of Kentucky. Can the gentleman tell us how the average amount paid in compares with the amount called for under this bill?

Mr. McFADDEN. I shall be glad to put that into the Record also.

The CHAIRMAN. The gentleman has consumed 20 minutes.

Mr. McFADDEN. I yield myself 10 minutes more.

Mr. WHITTINGTON. Is it not true in many States where the system has failed that the only money the depositors have gotten has been from appropriations made by the legislatures of those States to satisfy the wants of these depositors?

Mr. McFADDEN. To quite an extent.

Mr. WOODRUM. Mr. Chairman, will the gentleman yield?

Mr. McFADDEN. I am sorry, but I want to finish this statement if I may, because I think it is important.

Now that is the history of the State guaranty of deposits. There is not one of them operating; every one has become hopelessly insolvent. The chairman of the Banking and Currency Committee will tell you, as he has told you before, that this has nothing to do with his bill; that the experience of an individual State does not prove that this bill will not work. That line of argument is not convincing to me; the same principle is involved, and the record of these eight great States can not be ignored.

This bill will not stop bank failures; it is designed to pay the depositor in full when a bank fails. Now let us see what the history of bank failures will show as to losses. There are no figures available as to State banks where the largest percentage of failures has occurred, but we have some figures to go on in national banks.

We have been told that \$45,000,000 has been the total losses to depositors in national banks during the history of national banks down to 1925. There has been some misunderstanding on this figure. Upon inquiry at the office of the Comptroller of the Currency I find that \$45,000,000 was the loss on the closed banks which had been completely liquidated, but there were closed banks still in the process of liquidation at that time.

In 1930, 898 national banks had been fully liquidated with losses of \$95,231,473, and 443 were in process of liquidation. If we add these 443 banks and 571 which failed from 1930 to February this year and use the same percentage of loss, we find that the total estimated losses would be \$409,957,170 for the national system alone. If we add the failures in the State member system from 1921 to February of this year, of 383 banks—losses, \$278,400,000—we have a grand total of \$688,357,170 of losses in the Federal reserve member banks alone. No consideration has been given in these figures to State banks which do not belong to the Federal reserve system. The bill contemplates these banks will take advantage of the plan. It is among the nonmember State banks that the greater number of failures have occurred. From the Federal reserve bulletins and reports I find that during the last 11 years—1921 to 1931—7,578 nonmember State banks with deposits of \$2,695,034,000 failed. If we follow the same percentage as to losses in these banks as the national system, we find they amount to \$853,786,771. Adding this figure to \$688,357,170, we have a grand total of losses of \$1,542,143,941.

Thus in a 10 or 11 year period we find the losses in our banking system to be well over a billion and a half dollars. These are the losses, but this bill will pay the depositor in full. The total deposits in the failed banks of this country the last 11 years—1921 to 1931—according to Federal Reserve Board figures were \$4,345,872,000. If the bill proposed had been in operation, it would not only have been inadequate but sunk beyond recall. We all hope history will not repeat, but it has a strange way of doing so, and if the past repeats, the provisions of this bill will not operate, for during that 11-year period, working at a maximum, it would have taken \$100,000,000 a year from the banks as a levy, or \$1,100,000,000, and with its capital funds of \$297,126,882, or a total of \$1,397,126,882, it could not by any stretch of the imagination, including collections from assets, have paid out over \$4,000,000,000.

Mr. WOODRUFF. Mr. Chairman, will the gentleman yield?

Mr. McFADDEN. Yes.

Mr. WOODRUFF. The gentleman speaks of the losses that have occurred from the failure of banks during the past two years to call attention to the stupendous losses occasioned the depositors by the failure of those banks. Is it not his opinion that many of the banks that have failed during that time would be open and doing business to-day had it not been for the fear in the minds of the depositors that those banks were unsound and that it was this which caused them to withdraw their funds?

Mr. McFADDEN. That undoubtedly is so. It is fear and sometimes facts that cause runs on banks. I am sorry that I can not yield further to the gentleman.

I have said that the bill will place an undue burden on the banks and that it discriminates against nonmember banks. The bill will take \$100,000,000 a year from the member banks, or on the basis of the total deposits in the member banks as of December 31, 1931, the sum of \$3,200 for each \$1,000,000 of deposits.

I would like to point out in addition to this withdrawal of this \$150,000,000 of the Government's money which is now a part of the surplus of the Federal reserve system, that you are going to withdraw a fund that otherwise would belong to the Government to the extent probably of \$100,000,000 a year, or whatever may be required to pay depositors of failed banks.

Mr. STEAGALL. Mr. Chairman, will the gentleman yield? I know the gentleman does not want to make the statement that there is the slightest dream on the part of anybody that the Federal reserve banks will ever again pay \$100,000,000 under existing law into the Treasury.

Mr. McFADDEN. Will the gentleman tell us how much will be withdrawn annually?

Mr. STEAGALL. No; but they have ceased to pay any at all, and the most they ever paid during the war was \$50,000,000.

Mr. McFADDEN. But let me call attention to the fact that there is an undisclosed liability there that if it is needed to pay depositors in failed banks the Federal reserve will have to pay its share of \$100,000,000 a year. I hope it will not be needed.

Mr. LAGUARDIA. Out of its own money.

Mr. McFADDEN. Out of its surplus earnings, which surplus, when created, belongs to the United States Government in case of liquidation.

Mr. WOODRUFF. Will not the gentleman yield to pursue my question a little further.

Mr. McFADDEN. If I had the time, but I am depriving other gentlemen of their allotted time.

I find from testimony before the subcommittee, page 37, that during the 5-year period, 1926 to 1930, 15.8 per cent, or nearly 16 per cent, of the national banks lost money; that is, not only did they carry no earnings to undivided profits, paid no dividends, but operated at a loss. In banks with loans and discounts between \$150,000 and \$250,000, 28 per cent lost money; between \$250,000 and \$500,000, 20 per cent lost money; between \$500,000 and \$750,000, 14 per cent lost money, and so on up the list. I have no reason to believe that State banks have any better record. Yet it is upon these banks you place the burden of responding to an assessment each year, and if they can not meet it, either one of two things happens—the plan fails or the successful bank stands the burden. In the abnormal year of 1931 the member banks—see page 56 of the hearings—after losses, made but \$13,499,000. Yet this bill, if it had been in operation, would have taken \$100,000,000. It is in an abnormal year we have the most bank failures.

As to nonmember State banks, we find that they will be permitted to receive the benefits of the bill provided they are in sound financial condition and contribute to the fund twice the amount levied on the member banks, or \$6,400 for each \$1,000,000 of deposits. If this bill is a burden on the member banks, it is doubly one on the nonmember banks and these banks are the greater bulk of our banks. On December 31, 1931, there were 7,246 member banks of the Federal reserve system as compared with about 14,000 nonmember banks. In other words, twice the number will bear a double burden. It is clearly a discrimination.

I turn now to the provision of the bill relieving the stockholders of national banks from the double liability on their stock in the event of failure or impairment of capital of the bank. I judge that the argument will be made that inasmuch as we will have a guaranty of deposits law, it will not be necessary to have double assessment to protect the depositors. It must be remembered, however, that the fund would have to be replenished and the recoveries from stockholders would be a material help since approximately 50 per cent of these assessments are collected and experience has shown that 16 per cent of the dividends paid in national banks come from the proceeds of stock assessments.

Moreover the double liability plays a very important part in the going bank, especially when the capital structure becomes undermined through losses and the capital is impaired but the bank is not insolvent. It gives a vehicle by which the Comptroller of the Currency is able to in many cases have the bank's capital restored and saves the institution.

In conclusion I desire to point out that this bill will take from the Public Treasury \$147,126,882. I anticipate that the statement will be made that this amount was paid into the Federal Treasury by the Federal reserve banks through earnings made from member banks and that there is no reason why it should not now be withdrawn. As a matter of fact, while it was paid into the Federal Treasury, it has been used and as such is not there now. To now get this amount will mean that it either has to be raised through taxation or borrowed, and at a time when we are attempting to economize and balance the Budget it will add one more burden.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. McFADDEN. Yes.

Mr. STEVENSON. The gentleman has just quoted the comptroller and has set forth banks that have lost money and how much they lost. Does the gentleman agree with the comptroller as to what the remedy is—not that we make banking business more profitable for the general run of banks, but that we have a system of branch banks such as they have in Canada.

Mr. McFADDEN. Oh, the gentleman knows that I am entirely opposed to extending branch banking in the United States. [Applause.] It is a system of further centralization, and what we need in banking in the United States is decentralization, giving the people some control over what shall be done with their own money; they are deprived of that right now.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. McFADDEN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks by placing in the Record the balance of this statement which I had intended to deliver. I would also like to insert an analysis of the other paragraph of the bill.

This analysis is as follows:

This summary illustrates the effect of the various provisions of the bill.

TITLE II

Sec. 201. Federal Bank-Liquidating Board: A board of five members under this title is established, consisting of the Secretary of the Treasury, Comptroller of the Currency, and three presidential appointees, not more than one of the three to be of the same political party, term of office four years, salary of appointees \$10,000 each, the board to elect its own chairman and other officers and employ help.

Sec. 201a. Federal guaranty fund: A Federal guaranty fund for depositors in member banks of the Federal reserve system is established. There is to be paid into the fund—

- | | |
|---|-----------------|
| (1) By the Government, the franchise tax heretofore paid to the United States (1914-1930, inclusive) | \$147, 126, 882 |
| (2) By Federal reserve banks, \$150,000,000 of the surplus now in the hands of the 12 Federal reserve banks, each bank to pay an amount which bears the same ratio to the said \$150,000,000 as its surplus bears to total surplus of the 12 banks on December 31, 1931 | 150, 000, 000 |
| (3) By member banks, a total not to exceed (unless a less amount is fixed by the board) | 200, 000, 000 |

497, 126, 882

The above would make an initial fund aggregating nearly \$500,000. With respect to the \$200,000,000 maximum payment, assuming it is required of member banks, each bank must pay an amount which bears the same ratio to \$130,000,000 as its average deposits, other than "time," during the preceding calendar year bear to the average deposits of all member banks; and each bank must pay a further amount which bears the same ratio to \$70,000,000 as its average "time" deposits during the preceding calendar year bear to the total "time" deposits of all member banks.

The deposits other than time of all member banks on December 31 were \$19,430,544,000 and a payment of \$130,000,000 would be equivalent to a payment by all the banks of over six-tenths of 1 per cent of their average deposits other than time. The time deposits of all member banks on December 31 were \$11,315,842,000 and the payment of \$70,000,000 by all member banks would be the equivalent of over six-tenths of 1 per cent of their time deposits. As to individual banks the percentage would be greater or less according to the amount of their deposits.

SEC. 202. (b) Additional assessments upon member banks if necessary: If the board finds the payment under subdivision (a) inadequate, it may after 12 months make an annual assessment upon member banks of the whole or any part of \$100,000,000, each bank to pay an amount which bears the same ratio to the total as its net earnings will bear to the net earnings of all member banks for the preceding calendar year.

It may be pertinently asked: In case the fund is depleted by failures of poorly managed guaranteed banks, how long will sound member banks, if not driven out by the original contribution, remain in the system when called upon for additional contributions?

SEC. 202. (c) Payments subject to call of board: Sums payable by Federal reserve banks or member banks are subject to call of the board, in whole or in part, at such times as it may fix.

SEC. 202. (d) Refunds by board: If the guaranty fund is found more than adequate, the board may refund to each Federal reserve bank and to each national bank an amount which bears the same ratio to the excess as the amount which each such bank contributed.

It is to be noted that this omits any provision for a refund to State member banks.

SEC. 202. (e) Investment of guaranty fund: Investment is limited to (1) interest-bearing direct obligations of the Government, (2) non-interest-bearing deposits in member banks.

SEC. 203. Investment of assets and deposits of insolvent national bank: Upon certificate of insolvency the board shall wind up the bank in the manner provided by existing law, except as modified by this act, and within 30 days a committee of three—one appointed by the board, one by the owners of a majority of the stock, and one by depositors owning over 50 per cent of the deposits—shall make an estimate of the value of the assets, the amount of liabilities, and a statement of the amount due each depositor.

SEC. 204. Payment of depositors of insolvent national bank: Upon the basis of an approved estimate, whether or not modified by the board, it must pay each depositor—

(a) Within 60 days after certificate of insolvency not less than 50 per cent on deposits of \$1,000 or less and not less than 25 per cent where the deposit exceeds \$1,000; or \$500, whichever is greater;

(b) Within six months thereafter, on deposits of \$1,000 or less, the difference between the amount of the deposit and the amount paid under (a);

(c) Within six months thereafter, not less than 25 per cent to all depositors whose deposits are still unpaid; and

(d) Within six months thereafter, all deposits shall be paid in full.

SEC. 205. Board can borrow on assets of insolvent national bank: Power is given to borrow money secured by the assets of any insolvent national bank, for the purpose of making payments to depositors and other creditors of the bank and the fund must be only so used.

SEC. 206. Payments to depositors of insolvent State member bank: The board shall request the receiver or liquidating agent of an insolvent State member bank to submit a report and estimate, containing the same matter as required in section 203 in case of an insolvent national bank and, upon approval of the report and estimate, shall make payments of amounts equal to the amounts which would have been paid depositors of insolvent national banks under section 204; such payments to be made to the receiver or liquidating agent in trust for the depositors.

SEC. 207. Penalty for noncompliance: In case of failure of any member bank to comply with the provisions of Title II or any regulation made by the board thereunder, the board, after hearing, may require surrender of its stock in the Federal reserve bank and forfeiture of membership. In the case of a national bank the bank forfeits all its rights, privileges, and franchises under the national bank and Federal reserve acts.

SEC. 208. Regulations of board: The board is authorized to make necessary regulations under Title II.

SEC. 209. Appropriation: There is authorized an appropriation of such sums as are necessary to carry out the provisions of the act.

I also would like to insert at the close of my remarks a brief voicing the opposition of the American Bankers' Association

to this particular bill, which brief was prepared by their general counsel.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. LAGUARDIA. Reserving the right to object, I did not understand whose brief it was.

Mr. McFADDEN. A brief prepared by the general counsel of the American Bankers' Association.

Mr. LAGUARDIA. And the gentleman is presenting that to bolster his own argument?

Mr. McFADDEN. Oh, no. It is a fair legal analysis by Judge Paton, who is a very fair lawyer and who has analyzed this bill. I will not put it in if the gentleman objects.

Mr. LAGUARDIA. The reason I inquired is that I have heard the gentleman criticize that same association very ably and with justification.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MAY. Mr. Chairman, I would like to ask if the gentleman will not yield himself one additional minute to answer a question which I would like to ask him?

Mr. McFADDEN. Mr. Chairman, I yield myself one additional minute in order to answer the gentleman's question.

Mr. MAY. I was very much interested in the argument made by the gentleman from Pennsylvania on the subject of the alleged discrimination of this bill against a well-managed bank and in favor of a badly managed bank. I wanted to ask if the gentleman does not think that ignores the real purpose and intent of this bill, which is the protection of the depositors and not the stockholders or the bank particularly?

Mr. McFADDEN. No. I do not think I ignored that angle of it. I realize that this bill is intended to protect the depositors, but I think it is a question as to the method they are pursuing to do that.

Mr. VINSON of Kentucky. Will the gentleman yield?

Mr. McFADDEN. I yield.

Mr. VINSON of Kentucky. Is there any difference of opinion as to the cost of \$3,200 for a \$1,000,000 bank between the gentleman and other members of the committee?

Mr. McFADDEN. I have not discussed that with the other members of the committee.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. McFADDEN. I insert now the brief prepared by Thomas B. Paton, general counsel of the American Bankers' Association, heretofore referred to:

The American Bankers' Association has long been opposed to the compulsory guaranty of bank deposits in any form. Nearly a quarter of a century ago, at the inception of the movement for the enactment of deposit guaranty laws in certain Western States, the association at its annual convention held in Denver, Colo., in September, 1908, adopted the following resolution:

"Resolved, That the American Bankers' Association is unalterably opposed to any arbitrary plan looking to the mutual guaranty of deposits, either by a State or the Nation, for the following reasons:

- "1. It is a function outside of State or National Government.
- "2. It is unsound in principle.
- "3. It is impracticable and misleading.
- "4. It is revolutionary in character.
- "5. It is subversive to sound economics.
- "6. It will lower the standard of our present banking system.
- "7. It is productive of and encourages bad banking.
- "8. It is a delusion that a tax upon the strong will prevent failures of the weak.
- "9. It discredits honesty, ability, and conservatism.
- "10. A loss suffered by one bank jeopardizes all banks.
- "11. The public must eventually pay the tax.
- "12. It will cause and not avert panics.

"Resolved, That the American Bankers' Association is unalterably opposed to any arbitrary plan looking to the mutual guaranty of deposits, either by a State or the Nation, believing it to be impractical, unsound, misleading, revolutionary in character, and subversive to sound economics, placing a tool in the hands of the unscrupulous and inexperienced for reckless banking, and knowing further that such a law would weaken our banking system and jeopardize the interest of the people."

Again, in May, 1918, this action was reaffirmed when the American Bankers' Association, through its executive council, opposed

a bill (S. 4426) pending in the Senate which provided for the guaranty of national-bank deposits.

The unfortunate and disastrous experiment with State guaranty laws enacted in eight States during the period from 1908 to 1917, inclusive, well justifies the reasons and predictions set forth in the foregoing resolution.

HISTORY OF STATE LEGISLATION

During the period from 1908 to 1917 the following States enacted guaranty laws which in every case have proved disastrous, because they have tended to demoralize sound banking and accentuated rather than prevented losses to depositors:

Oklahoma.....	1908
Kansas.....	1909
Texas.....	1909
Nebraska.....	1909
Mississippi.....	1914
South Dakota.....	1915
North Dakota.....	1917
Washington.....	1917

The disastrous results led to repeal in 1923 of the Oklahoma law; in 1927 of the Texas law; in 1929 of the Kansas, North Dakota, and Washington laws; and in 1930 of the Nebraska law, coupled in the last-named State with the enactment of a depositors' final settlement fund, to be maintained for 10 years by an annual assessment of two-tenths of 1 per cent on average daily deposits. The South Dakota law is still in effect, but it is a complete failure and there is a hopeless deficit. In the last biennial report of the superintendent of banks for South Dakota (June, 1930) it is stated that the legislature of 1927 amended the depositors' guaranty law under which depositors of banks closed subsequent to July 1, 1927, are not entitled to any benefit from the depositors' guaranty fund but only from the individual guaranty fund established by each bank for the protection of its own depositors.

In the remaining State, Mississippi, chapter 22, Laws of 1930, provides for the suspension of the operation of part of the law until the outstanding guaranty certificates are liquidated and at a special session in 1931 a law was passed for the issuing of bonds to raise funds for the payment of guaranty certificates.

Earlier in our history, a century ago, the State of New York made an initial experiment of this nature. In 1829 a bank guaranty law was enacted. Under the operation of this law the guaranty fund became bankrupt in 1837, and the law was repealed in 1842.

Guaranty of deposits having proved a failure under State, it would equally prove a failure under national auspices. It is unfair to sound, well-managed banks, because it makes them contribute to a fund to make good the mistakes of their weaker brethren; and it encourages unsound banking, because there is no need for a depositor, knowing that his deposit is guaranteed, to discriminate between the bank which is carefully and prudently managed and one whose management is not so prudent and which, with a deposit fund more easily augmented because of the guaranty, will make loans and investments regarded as unsafe by the more carefully managed bank. The inevitable result is the failure of an increasing number of mismanaged banks and the ultimate bankruptcy of the guaranty fund.

The late James B. Forgan, of Chicago, pertinently said: "Is there anything in the relations existing between banks and their customers to justify the proposition that in the banking business the good should be taxed to pay for the bad; ability taxed to pay for incompetency; honesty taxed to pay for dishonesty; experience and training taxed to pay for the errors of inexperience and lack of training; and knowledge taxed to pay for the mistakes of ignorance?"

Believing that the compulsory guaranty of bank deposits is unsound in principle, and this having been demonstrated by the experience of nine States, it would seem that before any serious attempt is made to extend the guaranty plan to all the banks in the Federal reserve system a thorough investigation should be made of the operation of the guaranty-fund system and its effect upon the welfare of the banks and of the people in those States which have given it a trial and abolished it.

EXPERIENCES IN STATES

In the limited time available for the preparation of this brief it is impossible to go fully into the unfortunate experiences resulting from the operation of guaranty laws in the States in which they were adopted.

JUDICIAL CONDEMNATION IN SOUTH DAKOTA

The Supreme Court of South Dakota, in *State v. Smith* (234 N. W. Rep. 764), decided January 30, 1931, had before it a case involving the determination of the then situation in that State with reference to the guaranty of deposit law. The court said that any intelligent consideration of the problems presented necessarily required a consideration of the history of the bank guaranty law in the State and of operations thereunder and the present status of conditions pertaining to such law. After reviewing in detail the history of the law, the court reached the following conclusion (Id. p. 781):

"The inescapable facts in this case render necessary the conclusion that the guaranty-fund scheme proved in actual operation, under the conditions which it was required to meet and for whatever reasons, entirely unable to accomplish what was hoped for it. Whatever assets remain in the insolvent banks wherein

their deposits were made properly applicable to that purpose will, of course, be received by the petitioners, but we can see no reasonable expectation of their receiving anything from the guaranty fund beyond what is now therein. The facts are harsh, but undoubtedly the quicker they are faced and realized by all concerned and false and specious hopes abandoned the better the situation will be. The guaranty-fund experiment in this, as in other States where it was attempted, has failed completely."

In an article in the *Encyclopædia of the Social Sciences* (Vol. II, p. 417) on the Guaranty of Bank Deposits, by T. Bruce Robb, the following summary of the experiences in the different States is given:

"The insurance of bank deposits as found in the guaranty laws was designed to reduce loss caused by bank failures. As an insurance system it has little to contribute to the solution of this problem, for the prime function of insurance is to distribute rather than to eliminate loss. Its proponents, who hoped that the feeling of security engendered by the guaranty laws would minimize runs on banks in times of stress, regarded the guaranty scheme as a distinct contribution to banking reform. As such it has been of minor importance. The avoidance of bank failures depends primarily on a thorough system of bank supervision, the insistence on adequate financial resources, and the development of a trained bank management."

DISASTROUS RESULTS IN OKLAHOMA

The following excerpt from an article by Frank J. Wikoff, president Tradesmen's National Bank, Oklahoma City, Okla., published in the *Journal of the American Bankers' Association* for July, 1923, clearly pictures the disastrous results of the Oklahoma law, which was enacted in part as a political measure and on the theory that while a mutual guaranty by a small number of banks might fail, a large number would succeed on the law of averages:

"Since the passage of the guaranty law in 1907 a total of about 1,000 State banks have been organized. About 450 are now in business, 255 have been nationalized, 125 consolidated with others, about 125 have failed, and about 50 have been liquidated."

"During the period of its existence solvent banks paid into the fund about \$3,500,000. There is something over \$10,000,000 of unpaid obligations outstanding, for which no warrants have been issued, and about \$1,500,000 of outstanding guaranty-fund warrants, which are in the hands chiefly of existing State banks. In some instances national banks are carrying such warrants for State banks, but this is not considerable and usually where there exists some affiliation."

"The law was repealed unconditionally in the closing days of the last legislature. There is approximately \$12,000,000 worth of more or less ragged assets in the hands of the board, half of it utterly worthless, the other half worth from 5 to 30 cents on the dollar, if efficient and persistent efforts were made, which is not probable."

"Under unappealed provisions of the law the collections of assets must go to pay outstanding warrants in the order of their issuance. This has been obviated some by keeping a closed bank in the hands of a liquidating agent who applied collections to the payment of the depositors for a certain period. These complications will probably be worked out in a series of lawsuits; the probabilities are the depositors will lose several millions finally, but it is likely that the warrants outstanding will in some way ultimately get paid."

"To sum it up, 15 years' experience with the guaranty of deposits in Oklahoma has cost the honest State bankers and the trustful depositors of the State together nearly \$15,000,000; the banking business has been disrupted and in turmoil; two bankers' associations have existed, with their attendant expenses and jealousies; and no appreciable good has come to any interest in the State except to those receiving fees and salaries in connection with its administration."

"It is probably the most expensive effort yet made by a State in which honest people are called upon to prove, at great expense, that the average politician's theories work out to the detriment of everybody but the politician himself."

FAILURE OF SYSTEM IN TEXAS

The absolute failure of the guaranty system in Texas is well pictured in an article by W. A. Philpott, jr., secretary of the Texas Bankers' Association, published in the *Journal of the American Bankers' Association* for March, 1927. We make the following extracts:

"The Texas Legislature in 1909 passed the guaranty fund act, which became effective on January 1, 1910. It was opposed by practically all the outstanding and far-seeing bankers, both State and National, in Texas at that time. It is interesting at this date to read some of the flaming arguments against the law back in 1909, arguments and prophecies which the years have sustained and fulfilled. But here was the law and all State banks—some 750 of them—were forced into the guaranty-fund plan, or its corollary, the bond system. Only 60 banks became bond banks. Then began the period of wildest promotion, the greatest bank expansion Texas had ever seen. Fortunately there were a number of very strong men in the banking commissioner's chair, else nothing could have stopped the organization of banks. The passage of the law was the signal for every fellow out of a job, whether or not he had banking experience, to open a bank and offer the depositing public the same degree of safety afforded by the old, well-established, conservative banker, with ample capital and seasoned experience."

"Everything ran merrily on with the guaranty fund for the first 10 years. Banks were organized in every town and hamlet until the peak of more than 1,000 banks was reached. Everyone hung out the sign, "Guaranty Fund Bank" and was allowed to advertise the statement that no depositor had ever lost a dollar in a guaranty-fund bank in Texas. From January 1, 1910, to January 1, 1920, some 20 guaranty-fund banks failed in Texas, with a resultant loss to member banks who paid the depositors of only about \$1,000,000—not a bad record for 10 years. There were honest and good men who believed in the plan. Bankers of recognized ability insisted that the guaranty-fund system was the greatest piece of constructive legislation ever enacted in the country. They pointed to its record of 10 years. They preached the plan at bankers' conventions. They expanded with pride over the fund's accomplishments and growing importance.

"Then came the depression, the hard times, the deflation, the failures, beginning in 1920. In six years, or up to January 1, 1926, there were 150 failures of guaranty-fund banks in Texas, 52 of which were reorganized by the department without loss to the fund. The good and solvent banks of Texas during that time paid to the depositors of failed banks upward of \$17,000,000—and there were many more failures in sight. Guaranty-fund assessments (as much as 2 per cent per year of the average November deposits, the high season) eliminated dividends, consumed surpluses, and in many instances impaired capital stock. Then the State bankers awoke from the beautiful dream which pictures the guaranty fund as a magic wand. Their stockholders began to ask about dividends, and all the sound and conscientious State bankers in Texas lost considerable sleep, giving serious thought to the perplexities and the problems of the guaranty fund. Still more failures, and accentuated assessments loomed ahead. Many of the wiser ones surrendered their State charters, secured national charters, took their loss, and started with a clean slate.

"The cry for relief was so widespread and the pinch so universal that the legislature in 1925 amended the law, permitting State banks to convert to a bond plan—a provision not in the original act—which compelled the bank either to contribute to guaranty fund or to protect its depositors under guaranty-bond provisions. The 1925 amendment provided that a bank could be relieved of guaranty-fund liability by furnishing a bond the size of its capital stock, either a personal or surety bond, to be approved by the commissioner. There was a scramble by the guaranty-fund banks to 'get from under.' Of the 850 guaranty-fund banks at the time, all were quickly converted except 24, whose affairs were too weak to be permitted to change. Before the guaranty fund was repealed by the present new law several of the few remaining fund banks failed and the rest were too weak to stand assessments, so that some time will elapse before the depositors will be paid.

"Since the State banking law was passed in 1905 there have been chartered about 1,500 State banks. Of this number, 850 remain to-day, out from under the guaranty-fund yoke, each standing on its own bottom, each eagerly glad that the past is behind. More than 100 have taken out national charters, the one and only reason being to escape the guaranty fund liability. The guaranty-fund plan in Texas has cost the good, well-managed, and solvent State banks approximately \$20,000,000. It's a rather dear experience."

CRITICISM OF SOUTH DAKOTA LAW

The failure of the guaranty law in South Dakota is fully described in an article by E. S. Sparks, dean of the College of Agriculture and Science, University of South Dakota, published in the *Journal of the American Bankers' Association* for February, 1927, in which he shows that after 12 years of operation, the guaranty fund system of that State stood as a complete failure. At that time there was a hopeless deficit, growing larger each day; the fund had an annual income of less than \$300,000 to meet \$500,000,000 indebtedness, and his criticism is that a law of this character is an aid to unsound banking. We make the following extracts:

"A large deficit, growing larger each day marks the present dilemma of the guaranty fund.

"The total receipts under the law from assessments of banks from February 1, 1916, to January 1, 1926, were \$3,167,473. Of this amount, \$3,068,200 had been used by January 1, 1926, to pay depositors of closed banks, to make readjustments, and to manage failed banks. There had been received back into the fund from the liquidation of assets of failed banks \$221,547. This left a balance of \$320,820 still unused at the close of the year 1925. If we add to this the assessment income for the year 1926, amounting to \$265,907, we have \$586,727, and whatever may be realized from the liquidation of the assets of failed banks, to meet the total liabilities of the guaranty fund.

"As to the liabilities, the total is fast approaching the staggering figure of \$50,000,000. According to law, this unpaid liability was to be represented by negotiable certificates bearing an annual interest of 5 per cent. Under these conditions we have the interesting situation of an annual income of less than \$300,000 trying to pay off an indebtedness of nearly \$50,000,000 with an annual income increase of nearly \$2,500,000. It is estimated, however, that the liquidation of the assets of failed banks may reduce this from 30 to 50 per cent, but the situation seems to be hopeless, even if the most optimistic estimates are realized.

"On January 1, 1926, this indebtedness was represented by \$30,582,140 of certificates of indebtedness outstanding, by \$1,901,825 of authorized certificates, and by \$10,894,026 of undetermined deposit claims. Total liabilities were \$43,377,992 on that date; but due to numerous bank failures during the year 1926, this has increased to nearly \$50,000,000.

"Up to March 1, 1923, the guaranty fund was solvent and paid all claims in full, but between March 1, 1923, and March 1, 1924, the number of bank failures was such that payments could not be made in full, and since then payments have been made only on the percentage basis. In cases where banks failed prior to March 1, 1923, and litigation delayed payment from the guaranty fund, the State supreme court now holds that claimants in the cases, if they finally succeed in establishing their claims, are entitled to the same rights as if the claims had been allowed at the time the bank failed.

"In this connection the trend of bank failures is interesting. From 1916 to 1922 the number of State banks increased from 498 to 562 and the average number of banks in suspension at any one time was about 13. But a radical change took place in the biennium from 1922 to 1924. Bank failures during this period increased from 13 to 139, or 126 new bank failures occurred. From 1924 to September 30, 1926, 93 more banks failed, bringing the total to 232 failed banks. This has been increased lately by some 20 bank failures, so that at present about 50 per cent of the State banks of South Dakota have become insolvent, bringing all the disturbed conditions generally prevalent with the breaking down of the credit mechanism.

"One of the biggest indictments of the guaranty law in South Dakota is that it stimulated reckless and irresponsible banking and created an attitude of false security for bank deposits. State banks were allowed to advertise on their windows and in the newspapers that their deposits were guaranteed by the State. Hence the impression grew that State bank deposits were entirely protected and that, if the banks failed, the State would make up the loss. No wide efforts were made on the part of the State banking department to correct this situation and to show that deposits were protected only up to the extent of the guaranty fund, which would prove insufficient in case of numerous bank failures.

"Again, the act became operative during a period of rising prices and great business optimism. Entirely too many banks had been organized and credit became easy and highly speculative. Banks were not properly examined and regulated as to reserves and legitimate loans. Under conditions like these, the guaranty law undoubtedly stimulated recklessness in banking. Many citizens of the State now hold that, since people were allowed generally to believe that their deposits were safely protected, the State is morally obligated to make up the loss through taxation, although there is no such obligation in the act itself.

"As was pointed out above, the strong banks have felt that the principle is wrong, since it allows weak banks a competitive advantage which their business does not justify and burdens unjustly conservative banking without eliminating the weakness of unsound banking.

"From the above facts it seems safe to assume that under the recent banking conditions in South Dakota, the guaranty law promoted rather than retarded unsafe and unsound banking. It was especially pernicious in that it failed to focus attention on the individual strength of the local bank itself. It hindered the belief, so fundamental to sound banking, that a banking institution and its liabilities are no more sound than the business practices of its directing bankers."

It is unnecessary to extend this brief by reference to the experiences of the other guaranty law States where like results followed.

IDAHOO REJECTED BANK GUARANTY

In 1923 the Governor of Idaho, under authority of the legislature, appointed an Idaho banking code commission to study the banking laws and to recommend a banking code. Among the propositions considered for inclusion in this code was a bank guaranty law.

The report of the commission made to the governor December 8, 1924, recites that: "A candid study of the operations of all of these bank guaranty acts has shown them in the first instance to have misled the public, and ultimately to have proven failures, tending to demoralize sound banking, in the end accentuating rather than preventing losses to depositors."

The report, which recommended that the suggestion for inclusion of a bank guaranty law in the proposed code, be disapproved, summarized the objections as follows:

"(a) In all bank guaranty laws so far enacted a maximum annual assessment has been fixed in order to prevent destruction of the entire system during any severe period of depression. Experience has shown that assessments against the remaining banks sufficient to pay all deposits upon closing of failed institutions would impair the capital stock of the remaining banks to such an extent that they would all close. As a result depositors of failed institutions are not paid upon the failure of banks, and hence the so-called bank guaranty laws do not pay deposits. The total deposits of State banks closed in Idaho since 1919 amount to \$4,917,186.26, of which there has been paid to date \$365,000, leaving a balance unpaid of \$4,552,186.26. The capital stock and surplus of the remaining State banks now in operation total \$4,153,339.80. A bank guaranty law which would have paid deposits would have wiped out the entire State banking system of Idaho with its \$30,163,147.56 of deposits.

"(b) The future strength of our banking system must depend upon the development of sound, conservative banking and discrimination on the part of the public which will encourage such banking. Bank guaranty laws tend to retard the unsensational process of strengthening the banking system by strict regulation, vigilant public opinion, and strict requirements with regard to

the ability of organizers and the minima of capitalization. A bank guaranty law tends to put all banks on the same plane and there is no special incentive for maintaining the reputation and prestige of a banking institution by careful, conservative banking. In fact, the bank which would depart most from conservative banking practice and assume the greatest speculative risks would be the popular bank and the one enjoying the largest volume of business. Integrity, financial ability, and responsibility form the very essentials of banking, and any effort to supplant such with a bank guaranty law can only invite eventual disaster."

FEDERAL GUARANTY PROPOSAL OF 1918

In 1918 a bill introduced by Senator Shafroth (S. 4426) having the indorsement of the then Comptroller of the Currency, John Skelton Williams, providing for the guaranty of deposits in national banks up to \$5,000, was reported favorably by the Committee on Banking and Currency to the Senate. As indicated above, the American Bankers' Association strongly opposed the passage of this bill. Although at that time the unfortunate results of State guaranty laws had not become fully apparent, the bill failed of passage in the Senate because of its unsoundness in principle. In addition to widespread protests from different sections of the country there were strong protests from the clearing-house associations of New York and Chicago, under date of May 9 and 10, 1918, respectively, which are quoted below because they well summarize the reasons why any proposition for the guaranty of deposits of national and member banks by assessments upon all the banks should not be enacted into law.

The protest of the New York Clearing House Association is as follows:

"The undersigned, constituting the entire membership of the New York Clearing House Association, earnestly protest against the enactment into law of Senate bill No. 4426, and desire respectfully to present the following brief expression of their views on the principle and policy of the guaranty of deposits:

"Senate bill 4426, now pending in the United States Senate, puts a premium upon incompetence. It proposes that the Government of the United States guarantee all deposits in national banks of \$5,000 and less, and that the Government guarantee up to \$5,000 all deposits in excess of that amount; of course, this guaranty is to be made good at the expense of the conservatively managed and successful banks.

"Should such a proposition be enacted into law any national bank, however inexperienced its official managers, however limited its capital resources compared to the field of its activities, however given to risky adventure, however venturesome in buying deposits by paying excessive rates of interest, however wanting in the proven qualities which time and experience have shown to be indispensable to successful bank management, such a bank would, nevertheless, be able to solicit business, truthfully claiming that their deposits were protected as above stated by the combined financial strength of the whole national system. Good banks would thus be compelled to give of their strength to induce the creation of and then to support incompetent rivals.

"Such a proposition is in violation of common justice and common fairness. The stockholders in a bank in one locality would be mulcted in loss to compensate for the mismanagement of banks hundreds or even thousands of miles distant and over which no mutual control or relationship exists.

"Our people should be allowed to exercise wholesome discrimination in the banks they select, as well as in their business activities in general. Individuality and individual initiative are cardinal qualities of success, and these qualities would be impaired if people are to be taught by legislation to rely upon the Government to help them in their ordinary individual transactions and in the exercise of ordinary judgment.

"The said bill is wrong in principle; it imposes an unjust burden upon conservative bank management, and would exercise a deleterious influence upon every community, should it become law."

The protest of the Chicago Clearing House Association is as follows:

"The taxation of the sound and conservatively managed national banks, which form the overwhelming majority, for the benefit of the depositors of the very few, which are unsound and recklessly managed, we consider unjust and inequitable for the following reasons:

"It proposes to tax good banks to support bad; to penalize honesty, ability, experience, and training to compensate for incompetency, dishonesty, and ignorance; it removes from banking the essential characteristic on which success in the business has been based, viz, the necessity for maintaining reputation for character, prudence, foresight, sagacity, and conservatism. It proposes to place the reckless and speculative banks on the same level with the best managed and the most conservative, which will lead to competition calculated to drag all of them down to the least meritorious.

"Under the protection of such an act banks by granting their customers accommodations contrary to all sound banking principles and methods would take business away from the sound ones, while to the extent of their contributions to the guaranty fund sound institutions would be required to support the unsound in their recklessness, besides giving them a standing and credit which they could not otherwise obtain.

"The proposed legislation therefore does not give the honest and well-managed banks a square deal; it places a premium on dishonest and reckless banking and will go far to destroy the in-

centive of banks and bankers to establish for themselves a good name and reputation in their various communities."

PROMOTION OF RECKLESS BANKING

There is abundant evidence that the tendency of guaranty laws in the past has been to increase the number of banks far beyond needed requirements, and beyond the number that would produce a profit to the stockholders, and that such laws invite the establishment of banks by irresponsible and unexperienced men who will advertise that deposits of their institutions are secured by the guaranty fund.

A pamphlet issued by Daniel W. Hogan of Oklahoma City in 1908 contains numerous illustrations of such a tendency. For example, shortly after the enactment of the Oklahoma law, application was made to the bank commissioner to start a fourth bank at Prague, a town of 249 people. The bank commissioner refused the application on the ground that there were too many banks. The applicants appealed to the district court, and an opinion was handed down that the banking board had no right to refuse a charter to applicants for a State bank; that the fact that other banks of the town objected, or that an objection was raised on the grounds that the applicant was inexperienced in the banking business, was not a matter for the board to consider, but that they were compelled under the law to issue a charter to any corporation seeking one as long as the papers were properly executed.

Another instance cited by Mr. Hogan: The president of a national bank was also a merchant and failed in business and was compelled to go through bankruptcy. Naturally he had to resign his connection with the national bank. He thereupon took out a charter and became president of a State bank in Oklahoma.

In another case, a man, when prohibition closed up his saloon, relinquished that business and started up a bank and, because of the protection to depositors given by the guaranty law, was able to secure in a short time between \$30,000 to \$40,000 of deposits.

The above is merely illustrative of hundreds of similar instances which could be established by testimony in any investigation of the results of the operation of State guaranty laws by reckless operators of banks which have, through glaring advertisements, invited deposits at a high rate of interest emphasizing the fact: "Your deposits are guaranteed by the State."

We have attempted in the foregoing to set forth sufficient facts and experiences growing out of the operation of State guaranty systems, to demonstrate that such systems have proved failures and highly disastrous; that they do not protect depositors, but have a tendency to promote unsound banking.

FEDERAL GUARANTY WILL NOT PROTECT

The argument has been made that the breakdown of State guaranty systems does not necessarily mean that an enlarged Federal system covering the whole country with a sufficiently large fund to guarantee the deposits in member banks and embracing a wider distribution of risks, would not effectually protect depositors. Aside from the unfairness of penalizing good banks to make good the losses of bad banks, it is respectfully submitted that no such system of Federal guaranty, as comprehended by the Steagall bill, would ultimately survive.

The fundamental plan of the Steagall bill is the same as that of the former Oklahoma and other systems—the creation of a guaranty fund by uniform assessment upon all the banks out of which to pay the depositors of those banks in the system which fail. It is virtually an insurance plan, but not based upon sound principles of insurance. An insurance plan, to be successful, must be based upon an analysis and thorough study of the risks involved; there must be a classification of risks and gradation of premium rates according to the character of the risk. A high risk involves a correspondingly high premium and there are some risks so bad as to be ineligible for insurance. Under the proposed Federal guaranty plan there is no classification of risks nor gradation of rates.

Notwithstanding banks in certain sections of the country, based on past experience, are more likely to fail than banks in other sections, all are compelled to contribute equally to the insurance fund. The inevitable result of such a plan of assessment would be that the banks, unduly discriminated against in the matter of rates, would leave the system, for the premiums or enforced contributions are not in due proportion to the risk. Under this proposed law the stockholder of one bank would have nothing to say about the location of other banks; no voice in determining how much capital shall be invested in any particular locality nor in the selection of the board of directors or officers; no right to examine its books nor familiarize himself with its operations and no share in its profits. Nevertheless he would be subjected to a charge for payment, pro rata, of its debts; for the purpose of liability only, but not for profit, he would be made a stockholder of every member bank in the Federal reserve system. How long would such a system continue?

We firmly maintain that no ultimate beneficial results to depositors would follow the enactment of a Federal guaranty law because the principle is wrong and, even under national auspices and no matter how well supervised, the tendency would be to open the door to the reckless and incompetent to establish banks and to speculate with the money of depositors which they would not receive but for the guaranty. We believe that no such system could long survive, for it would encourage the increase of bad banking at the expense of good banking, and ultimately result in the collapse of the banking structure. Aside from this, there is the unfairness of compelling a sound, well-managed bank whose depositors need no protection to contribute to a fund for the

protection of the depositors of the unsound, poorly managed bank. Well may the country banker in a small village who has earned and deserves the confidence of the depositors in his bank, complain should he be compelled to contribute to a fund from which would be paid the depositors of a large institution in a distant city which, through mismanagement or worse, has been closed by the authorities.

IN CONCLUSION

The purpose of legislation of this character is to insure to the depositor the safety of his deposit. Under true principles of insurance each voluntary participant contributes commensurately with the risk; the greater the risk, the more he pays. The proposition for Federal guaranty, as has been the case with past State guaranty systems, would deviate from this true principle by seeking to establish a compulsory insurance system in which the good risk is compelled to contribute equally with the bad.

We respectfully submit that the safety of the depositor will not be ultimately secured by any such system but that the object can best be accomplished by effective supervision to insure sound bank management.

Appended is a summary of Title II, H. R. 10241, with comment upon the effect of the guaranty of deposit provisions.

FOR THE AMERICAN BANKERS ASSOCIATION,
THOMAS B. PATON, General Counsel.

Mr. McFADDEN. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. Celler].

Mr. CELLER. Mr. Chairman, I incline to opposition to this bill primarily because of the disastrous consequences that have resulted in all States that have tried bank deposit guaranties. I am opposed to it also because it places an immediate burden upon the taxpayers of the Nation of \$150,000,000. Third, I am opposed to it because this appears to me to be an attempt to place the burden of supplying the resources for this guaranty fund upon the larger States, upon my State of New York, upon New Jersey, upon Pennsylvania, whereas the smaller States would contribute hardly anything to the fund, as will be seen from the very interesting data which I have just compiled from data furnished by the Federal Reserve Board.

We tried this scheme of deposits guaranty in New York State back in 1829. The fund became bankrupt in 1837, and the law, as far as New York State was concerned, was abolished in 1842.

Time will not permit me to go into the dismal failure of that statute in my State, but following the lead of New York State, other States adopted this guaranty of bank deposits. Oklahoma adopted it in 1908 and repealed it in 1923. Kansas adopted it in 1909, as did Texas and Nebraska. Texas repealed in 1927, Kansas in 1929. In 1914 Mississippi adopted it. In 1915 South Dakota adopted it, in 1917 North Dakota and Washington. North Dakota and Washington repealed in 1929.

Nebraska was compelled to repeal the statute in 1930, when it sought to liquidate the guaranty fund by the enactment of a depositors' final settlement fund, which is to be maintained for 10 years by an annual assessment of two-tenths of 1 per cent on the average daily deposit of all Nebraska banks.

The banks in Nebraska have complained bitterly about the statute. In the beginning some of the banks were in favor of the statute; others bitterly opposed it. The latter class felt that there was a taking away from the security of the depositors in going banks in order to pay depositors in failed banks.

As time went on, the assessments against the banks grew in amount. Many banks had failed; the guaranty did not save any bank from failing.

The United States Supreme Court, in the case of *Abie State Bank against Bryan*, Two hundred and eighty-second United States Reports, at page 770, gives a history of the situation in which it indicates the oppressive features of this plan upon the going banks.

The district court reviewed the results of the operations of the banks in Nebraska under the bank guaranty law. It appeared that there were 1,012 banks in the State (of Nebraska) in November, 1920, and that the number had been reduced to 726 in December, 1923; that these banks had a total capital of \$19,001,000 and a total capital and surplus of \$24,958,557.62; that for the period of 18 months preceding June 30, 1923, 750 banks had net earnings and 156 had net deficits; that the total net earnings of both groups for that period amounted to \$1,935,519.40, or 7.9 per cent of the total capital and surplus; that during the same period these

banks had paid into the depositors' guaranty fund \$2,412,324.78, more than the earnings. It also appeared from the testimony of the secretary of the guaranty fund commission (as stated by the supreme court of the State) that up to December 31, 1923, 269 State banks had been closed by the State and placed in the hands of the commission, and that the total amount of the adjudicated claims was \$10,536,518.59, exclusive of interest; and that in 72 State banks, then being operated as going concerns, the amount due depositors was \$13,726,441.26, and the total amount due depositors in banks which were in receiverships but whose claims were not yet adjudicated was \$2,133,627.54. The total claims, including both claims adjudicated and those not adjudicated, or then existing liabilities against the guaranty fund, amounted to \$26,400,282.76, and the total amount of assets to be realized would be \$10,451,932.65, leaving a deficit of \$15,948,350.11. The court concluded that "fully two-thirds of the banks under the existing financial conditions are unable, after paying assessments amounting to 8 per cent of their capital, to pay compensatory dividends," and that the bank guaranty law, as originally conceived, was "no longer serving its purposes."

In South Dakota, the law is still in effect, and there is a hopeless deficit which is constantly growing greater. In the remaining State, Mississippi, chapter 22 of the Laws of 1920 suspends the operations of part of the bank guaranty law until the outstanding guaranty certificates are liquidated; and at a special session of the Legislature of Mississippi last year, a law was adopted providing for the issuing of bonds to raise funds for the payment of guaranty certificates.

Thus, the general treasury is called upon to pay this deficit. The rank and file of the taxpayers of Mississippi are now asked to come to the rescue of those citizens who happened to be depositors in these unfortunate banks.

The gentleman from Alabama [Mr. STEAGALL] said there was to be a payment of \$150,000,000 by the Treasury into this guaranty fund. That is actually so; but where is that money coming from? It was paid originally out of the Federal reserve system to the Treasury for franchise taxes; but the money is no longer there, and it can not be said that the Federal reserve system is paying for it. It was paid. The money is now gone. It will have to be replenished. Who will pay for it? The taxpayers of the United States will have to pay for it. They will have to pay for it at the very moment when we are trying—with the whole country anxiously waiting—to balance our Budget; and instead of reducing expenditures of Government we are actually increasing expenditures of Government by compelling the Treasury to pay out \$150,000,000 to this guaranty fund. We thus increase our staggering deficit by \$150,000,000.

Mr. STEVENSON. Will the gentleman yield?

Mr. CELLER. I yield.

Mr. STEVENSON. The gentleman asserts very positively that that money is gone. The act under which it was paid in provides that it be either paid into the sinking fund for the retirement of the war debt or applied to the war debt. Has the gentleman any figures or information to show that it has actually been paid?

Mr. CELLER. Yes. I have before me the hearings where the gentleman and his colleagues examined the Comptroller of the Currency, and he stated exactly those words—that the money will have to be obtained somewhere; it is not in the Treasury, and the taxpayers of the Nation would have to pay it. I believe we can rely upon the Comptroller of the Currency. How or why or when it was paid in is immaterial. It is not there. Only taxes can replace it.

Mr. STEAGALL. I may say to the gentleman the Comptroller of the Currency sent to this Capitol, and it has been introduced as an administration measure, a bill which provides for loans upon the assets of closed banks that takes this identical fund out of the Treasury.

Mr. CELLER. I do not care what other bill does this, that, or the other thing. We are considering this bill, and if it is wrong to do it in this bill, as I conceive it, it is wrong to do it in any other bill, although the other bill refers to "closed" banks. I am opposed to adding any more burden at this time to that which the taxpayers of this Nation already carry.

The total amount of the deposits in the member banks of the reserve system as of December 31, 1931, was \$27,-

432,000,000. That is exclusive of what is known as inter-bank balances. If we add interbank balances, the total amount of deposits in the member banks was \$30,746,386,000.

The bill provides that the amount of the contribution of each member bank shall be proportionate to the ratio of its deposits to the total deposits of all members in the system. How will this affect the various states? What contribution will have to be paid by the banks in my State, for example, to this common fund? Let us see.

The instant bill provides that the Federal guaranty fund for deposits in member banks shall be made up of—

First. The direct payment by the Treasury into the fund of \$100,000,000.

Second. One hundred and fifty million dollars shall be paid out of the surplus of the Federal reserve banks.

Third. The Federal bank liquidating board shall also require payment into the fund by the member banks of the Federal reserve system of such amount (not to exceed \$100,000,000) as may be fixed by the board, of which each such bank shall pay an amount which bears the same ratio to the sum fixed by the board as the average deposits of such bank during the preceding calendar year bear to the average deposits of all member banks during the preceding calendar year.

Fourth. Any time after 12 months, if additional sums are required, the member banks shall be assessed and shall pay an additional \$100,000,000, according to their proportion of deposits.

I have prepared a table of the proportion that each State would be assessed and required to pay according to this plan.

I have taken the deposits of member banks and split up the total according to States and deducted the percentage of funds each State must contribute to the guaranty fund. Banks who are not members of the Federal reserve system are not considered, because the yardstick of contribution to the fund is amount of deposits of member banks.

	Deposits, member banks	
	Amount	Ratio
Northeastern States:		
Maine.....	\$118, 776, 000	0.4
New Hampshire.....	63, 027, 000	.2
Vermont.....	54, 451, 000	.2
Massachusetts.....	1, 406, 128	4.6
Rhode Island.....	284, 012	.9
Connecticut.....	281, 066	.8
Middle Atlantic States:		
New York.....	9, 625, 430	31.3
New Jersey.....	1, 304, 397	4.2
Pennsylvania.....	3, 057, 403	9.9
East North Central States:		
Ohio.....	1, 520, 050, 000	4.9
Indiana.....	347, 316, 000	1.1
Illinois.....	2, 126, 584, 000	6.9
Michigan.....	1, 177, 218, 000	3.8
Wisconsin.....	449, 579, 000	1.5
West North Central States:		
Minnesota.....	541, 733, 000	1.8
Iowa.....	247, 791, 000	.8
Missouri.....	814, 090, 000	2.6
North Dakota.....	57, 737, 000	.2
South Dakota.....	57, 724, 000	.2
Nebraska.....	178, 496, 000	.6
Kansas.....	183, 688, 000	.6
South Atlantic States:		
Delaware.....	613, 840, 000	.2
Maryland.....	282, 445, 000	.9
District of Columbia.....	145, 346, 000	.5
Virginia.....	303, 133, 000	1.0
West Virginia.....	147, 696, 000	.5
North Carolina.....	126, 640, 000	.4
South Carolina.....	58, 749, 000	.2
Georgia.....	220, 678, 000	.7
Florida.....	144, 777, 000	.5
East South Central States:		
Kentucky.....	201, 231, 000	.7
Tennessee.....	231, 741, 000	.8
Alabama.....	163, 156, 000	.5
Mississippi.....	46, 688, 000	.2
West South Central States:		
Arkansas.....	73, 326, 000	.2
Louisiana.....	231, 253, 000	.8
Oklahoma.....	260, 632, 000	.8
Texas.....	718, 409, 000	2.3
Mountain States:		
Montana.....	97, 789, 000	.3
Idaho.....	43, 178, 000	.1
Wyoming.....	33, 041, 000	.1
Colorado.....	226, 693, 000	.2
New Mexico.....	25, 551, 000	.1
Arizona.....	33, 294, 000	.1
Utah.....	81, 804, 000	.3
Nevada.....	16, 696, 000	.1

	Deposits, member banks	
	Amount	Ratio
Pacific States:		
Washington.....	\$281, 276, 000	0.9
Oregon.....	185, 991, 000	.6
California.....	2, 448, 141, 000	8.0

New York, I will say to the Members from New York who may be present in the Chamber, will be compelled to contribute over 31.3 per cent of the entire fund. New Jersey will contribute 4.2 per cent; Pennsylvania will contribute 9.9 per cent; Ohio will contribute 4.9 per cent; Illinois will contribute 6.9 per cent; Michigan will contribute 3.8 per cent; Mississippi will contribute 2 per cent; Kansas will contribute only six-tenths of 1 per cent.

Mr. STRONG of Kansas. That is the reason I am for the bill and the gentleman is not.

Mr. CELLER. Naturally, and that is why I am against it and why I want to bring the facts out so that Members from the various States can see how much they will have to contribute to the common fund.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. CELLER. I yield.

Mr. LaGUARDIA. However, their liability is proportionate.

Mr. CELLER. Of course, the liability is proportionate; there is no doubt about that. But, of course, I do not blame the gentleman from Kansas for wanting this. His banks pay only six-tenths of 1 per cent to the fund. Why New Yorkers will vote for the bill is beyond me. New York will pay the piper to the extent of almost one-third of the total.

North Carolina will contribute four-tenths of 1 per cent; South Carolina, two-tenths of 1 per cent; Georgia, seven-tenths of 1 per cent; Florida, one-half of 1 per cent; Alabama, one-half of 1 per cent; Mississippi, two-tenths of 1 per cent; Arkansas, two-tenths of 1 per cent; Oklahoma, eight-tenths of 1 per cent; Texas, 2.3 per cent; Idaho, one-tenth of 1 per cent; Colorado, two-tenths of 1 per cent; California, 8 per cent; Nebraska, six-tenths of 1 per cent, and so on.

I maintain, Mr. Chairman, that by a perusal of these percentages the conclusion is readily reached that it is highly unfair to place this entire burden upon a few States for the benefit of all the other States; and that is why, when it comes to voting on this bill, I shall be unalterably opposed to it.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. CELLER. I yield.

Mr. VINSON of Georgia. Right in that connection what was the contribution of the banks under the State laws which you say have failed?

Mr. CELLER. I shall be pleased to put data of those States in the record. I will put in my remarks a detailed statement of the statutes of each of the eight States that have adopted the guaranty plan.

[Here the gavel fell.]

Mr. CELLER. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. I herewith insert some detailed experiences of some of the States that tried this fantastic scheme.

NORTH DAKOTA

In our State a body of disgruntled radicals obtained political control of the State. They have done anything and everything that could be done to cripple the banking structure of the State. Where a banker would not agree with their political views a few of them would get together and organize a new bank in order to punish the banker opposing their political policies. Encouragement was given by the banking department and the governor to do this and the whole banking structure was weakened to an extent that when bank troubles developed over 300 small banks failed; and while there were only a few failures of larger banks, it was to be expected, of course, that failure of so many small banks

would pull down a few of the weak, larger banks. (W. C. MacFadden, secretary of North Dakota Bankers Association. Letter of December 14, 1926.)

OKLAHOMA

It is my judgment that any law which seeks to guarantee deposits in banks is fundamentally unsound, as it places a premium on incompetence, if not actual crookedness, and opens up a field which presents temptations to the unscrupulous politician. In this State it resulted in the granting of charters promiscuously and in many instances charters were granted to inexperienced and incompetent parties. I do not assume that the inside story of the manner in which the depositors' guaranty fund in the State of Oklahoma was handled will ever be revealed, and the only good that could come from a revelation of that kind would be merely as a warning to other States which contemplate adopting a law of that kind. (O. B. Motherhead, Oklahoma State bank commissioner.)

TEXAS

* * * Many bankers have engaged in reckless and unsafe business methods of banking, upon the theory that if their banks should get into trouble the guaranty fund would come along and contribute enough fresh capital to absorb their losses. A number of dishonest bankers have systematically stolen from their banks year after year and used the funds for personal transactions and speculative deals, knowing that if their banks failed the guaranty fund would pay the depositors and there would be no demand on the part of the depositors that these dishonest officials be punished. No stretch of the imagination is required to assert that the guaranty fund as it has been administered in Texas has been a constant premium upon dishonesty and criminal recklessness and carelessness in the management of some of the banks.—Extract from "Our State Banking System," an address by Charles O. Austin, Texas commissioner of banking.

Professor McCahan, of the University of Pennsylvania, in the book, *State Insurance*, summarizes the causes of the failures of these State funds as follows:

The immediate cause of the disastrous losses experienced by the funds in recent years was the deflation period following upon the heels of the war boom. As a result of it, banks all over the country were hard hit, but particularly those in the agricultural belt. Many financial institutions failed and carried others down with them. Banks belonging to guaranty funds were no exception. The fund may have had some virtue in preventing a "run" upon an individual bank occasioned by lack of confidence, but it was not adequate to cope with a period of rapidly falling prices and business stagnation.

Inability of most funds to withstand the heavy financial drains upon them during this time may be traced to a number of underlying factors. Principal among these were:

1. Too great concentration of risk: These funds, for the most part, were located in States primarily agricultural. Any influences affecting crop prices were necessarily transmitted to them. Losses were accordingly very much heavier than in the country as a whole. To illustrate, for the 10-year period 1917-1926, losses of the funds from failures averaged over 2 per cent of guaranteed deposits in North Dakota and South Dakota, whereas for the entire United States the liabilities (not just those to depositors) of all failed State banks, without deduction for possible salvage of assets, averaged approximately six-tenths of 1 per cent of total individual deposits.

2. Low assessment rates: The maximum assessment rates collectible in five States did not exceed one-fourth of 1 per cent, and in three of these—Kansas, Mississippi, and Washington—only a regular levy of one-twentieth of 1 per cent was collected for a number of years, so an adequate reserve was not created. Nor were the fixed rates of one-fifth of 1 per cent in Oklahoma (subsequent to 1916) and one-fourth of 1 per cent in South Dakota enough to produce an emergency surplus of any consequence. The test in Washington came early and found that fund unprepared as respects surplus. Even its more liberal assessment privilege proved insufficient. Had it not been for the special assessment privileges possessed by the Nebraska and Texas funds, their experience would have been the same as that of others.

3. Inadequate reserves: Bank failures traceable to economic conditions necessarily tend to be concentrated in a period when all business is depressed. Their effect, accordingly, is more disastrous. Since it is the goal of a bank guaranty fund to avert this sudden shock and distribute its force over a period of years, a substantial reserve must be on hand. Time has demonstrated that the maximum limits placed upon the size of these funds were too low and the means of building them up inadequate.

4. Poor underwriting selection and supervision of risks: All going banks were covered by the compulsory funds and membership in the optional ones was not difficult of attainment. No attempt was made to proportion the rate charged to the hazard presented. It is claimed that insurance of the risk made the public more careless as to the choice of their depositories. All banks appeared to be on the same plane as regards safety, and the necessity for discriminating with respect to the character, ability, and experience of the banker was less pronounced. It is contended new banks could more easily secure deposits and recklessness was encouraged. More rigid and extensive supervision was needed than ever before, but unfortunately this did not keep pace with the problems presented by the guaranty system. Some assert political influence played a large part in determining whether or not a bank should be closed. Certain it is that the standards of membership were not maintained at the high level necessary for success.

5. Maximum salvage not obtained: In case an insolvent bank is taken over immediately and its affairs administered by competent men, the loss to depositors may be kept low. If left to run after it should be closed or if improperly handled, realization on assets may fall and expenses mount. It is impossible to ascertain the exact efficiency of various funds in keeping their losses down by this means, but there is considerable evidence to the effect they have not always exerted every effort or used the best means to keep losses at a minimum.

IOWA

We would also call attention to the experience of the Iowa State public deposit guaranty fund created in 1925.

According to Professor McCahan:

From August 1, 1925 (when the fund began operations), until January 2, 1928, the fund received in diverted interest \$3,895,533 and in dividends from failed banks \$2,137,046, making a total of \$6,032,579. One thousand one hundred and seventy-four claims were approved and certified for payment during this time, having an aggregate value of \$9,421,899. In order to meet these liabilities, \$6,000,000 of anticipatory interest-bearing warrants were issued, of which approximately two and one-half millions have been retired. The maximum rate of interest has been diverted ever since the inception of this fund, but its net deficit, owing to excessively heavy losses, is still about three and a half million dollars.

According to information recently received, it would appear that at the present time the Iowa State depository fund has a deficit of approximately \$13,000,000.

There seems to be united opposition on the part of the American Bankers Association, as well as the New York Bankers Association.

One financial writer writes very succinctly as follows:

Since the above bill requires that the depository fund will be established and supported by assessments against the banks whose deposits are to be guaranteed, it must logically follow that the banks must recover this assessment in some way, and the logical way will be to reduce the interest payable on public and private accounts so that the expense of maintaining the fund eventually will fall on the depositors.

The above bill will result in the strong banks who do not need its protection being taxed for the benefit of weak banks. Furthermore, the fund will place a premium on lack of conservatism in the operation of banks.

Because the fund requires only members of the Federal reserve system to join the fund, such banks will be placed in an unfair competitive position as compared with nonmember banks and will doubtless force out of business smaller banks which can not afford or can not qualify for membership in the fund.

Mr. McFADDEN. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. Stokes].

Mr. STOKES. Mr. Chairman, this is a bill to amend the national banking act and the Federal reserve act, and to provide a guaranty fund for depositors in banks.

I think we are all agreed that we want to help the bank depositor and the banks, but the question, as I see it, is how are we to do it along sound economic lines?

One of the principal causes of bank failures undoubtedly has been the period of unsettlement through which we have passed. When this period passes away bank failures will automatically cease.

Mr. GARBER. Mr. Chairman, will the gentleman yield?

Mr. STOKES. I yield.

Mr. GARBER. It has been suggested in an inquiry that the cause of failures of banks is the withdrawal of deposits. This may have been a contributing factor, but the main factor in the failure of the banks in this country has been the shrinkage in values, and the holding of frozen assets instead of the withdrawal of deposits.

Mr. STOKES. The American people have deposited some \$47,000,000,000 in the savings banks of the country. Savings banks are not included in the bill, and I do not think they want to be. How will it affect them? This bill, as I understand it, has not been approved by the Treasury Department, or by most of the large banks, because the large banks do not feel that they need to have their deposits guaranteed. However, a good many of the small banks would like to have it, but not all of them, because in order to join the Federal reserve system they have to deposit a good deal of their money, and they may have use for that money for other purposes.

The bill removes the incentive of banks to show good management and build up good reputations. Besides, it sterilizes a certain amount of Federal reserve funds which

must be laid aside to protect this guaranty which they are giving instead of letting it be used for other very useful purposes.

If the Federal reserve system desires to protect any of its member banks, it can do so by lending them money when an emergency arises.

The House a few months ago voted to appropriate large sums of Government money toward funding the Reconstruction Finance Corporation, which provides emergency financing facilities for financial institutions. Why not give this a chance to function and see how it works out?

General Dawes reported recently that in the period from February 2, the first day of its operation, to April 19, inclusive, the Reconstruction Finance Corporation has authorized loans to 1,520 banks and trust companies in the United States in the amount of \$243,000,000, of which amount \$10,000,000 has already been repaid.

The evidence of the effectiveness of its work is found in the fact that in the 71 days which preceded February 2, 756 banks, with \$521,000,000 deposits, suspended in the United States; while in the 71 days from February 2, when the Reconstruction Finance Corporation started its operations, to April 12, there suspended in this country only 182 banks, less than one-fourth as many as in the preceding 71 days. As a matter of fact, however, the bulk of the bank loans in number and amount has gone to the small banks. The figures covering the period from February 2 to April 12 show that 69.2 per cent of the banks which have borrowed money from the Reconstruction Finance Corporation are located in towns of less than 5,000 population and 84.6 per cent of the borrowing banks are located in towns of 25,000 population or less. [Applause.]

The Bank of the United States, which was founded by Hamilton, was supported by the Government through the deposit of money, but there was no Government guarantee.

In fact, its capital was subscribed for by a large public body of stockholders.

Secretary of the Treasury Chase, during the critical Civil War period, when there were many bank failures, did not recommend a Government guarantee, because it is a dangerous centralization of power in the Federal Government.

One of the most successful and efficient banks in the history of the world is the Bank of England, incorporated in 1694 under the title it still bears, "The Governor and Company of the Bank of England."

One of the Federal Reserve governors submitted the following statement:

Experience in the various States that have tried out plans of this sort has been uniformly unfavorable. All such plans have broken down.

The natural effect of such legislation is to encourage risky and speculative banking by relieving bank officers and directors of their personal responsibility for the safety of deposits.

Moreover, it compels provident and conservative bankers to pay the losses incurred by improvident and speculative bankers.

[Here the gavel fell.]

Mr. STEVENSON. Mr. Chairman, I yield five minutes to the gentleman from Tennessee [Mr. TAYLOR].

Mr. TAYLOR of Tennessee. Mr. Chairman and members of the committee, in my opinion the legislation proposed to guarantee bank deposits is the most important legislation that has been presented to the Seventy-second Congress.

In my humble judgment, no act of Congress would do more to restore confidence, bring to the light and into circulation the hoarded millions, and accelerate economic recovery in this country than the enactment of the legislation before us to-day.

I shall not attempt to discuss the technical mechanics of this proposed legislation, because there are a number of experienced bankers on the committee which reported this bill as well as others of banking experience, who will analyze the mechanical details. My remarks will be confined largely to the human-welfare side of the proposal.

During the past two years we have witnessed a carnival of bank failures in this country unparalleled and appalling. And following in the dismal and desolate wake of the wreckage has trailed a grim and ghastly procession of human

distress, suicides, and unutterable anguish that is fearful indeed to contemplate. In my own fair State of Tennessee, in addition to the untold human misery incident to the failure of banking institutions, there have been, I am informed, seven suicides directly attributable to bank failures. Men and women who, after years of toil, had fancied they had laid up in bank a competency to provide for them in the evening of life, discovered to their dismay and horror that this security against the helplessness of old age had almost in an instant been swept away by the failure of some bank in which they had confidently placed their trust. Working men and women, in the shops and factories, over washtub and scrubbing brush, suddenly saw wiped out the savings which they had coined out of their sweat and blood and tears. Little children who had saved their pennies and, with childlike trust and simplicity, deposited them in savings banks were likewise the innocent victims of this orgy of defalcation. Thus thousands of our citizens were reduced to penury and poverty and often to desperation. Some sought solace in suicide of one form or another, while others, broken in spirit and health, are merely existing, supported by the sympathy and charity of relatives and friends. It would be difficult to estimate the number of deaths directly and indirectly resulting from bank failures during the past two years. Of course, it would be utter folly to attempt to describe the mental anguish and agony into the vortex of which thousands, yea hundreds of thousands, of our citizens have been precipitated by this epidemic of financial disorder that has swept our Nation like a terrible tornado during the past two years.

Something must be done to restore the confidence of the country in our banking institutions. Everybody concedes that there is something radically wrong with the system and agrees that it must be overhauled and safeguarded before the people will patronize it again. In the face of what has occurred during the past two years, who can blame the public for its lack of confidence in our banking systems both national and State? Who can censure the man who withholds or withdraws his money from banks and hoards and secretes it where he knows he can find it when he needs it? Until the time comes when our people can deposit their money in banks with the absolute assurance that when it is called for it will be available without question, our people will continue to hoard, and no one can blame them.

In 1930, 1,345 banks suspended operation in this country, with an aggregate of deposits of \$864,715,000. One hundred and sixty-one of them were national banks, 26 State institutions with membership in the Federal reserve system, and 1,158 non-Federal reserve. In 1931 there were 2,298 bank failures divided as follows: 409 national, 108 Federal reserve State members, and 1,781 non-Federal reserve.

Mr. Chairman, I can remember when there was supposed to be something sacrosanct about the title "national bank." The people of this country had been educated to believe that somehow and in some way Uncle Sam was back of them. These banks would qualify as Federal depositories and would advertise that fact and thereby the public was led to believe that the resources of the Federal Government guaranteed their stability. But alas, during the last few years this halo has been dissipated and the great American public has been sadly disillusioned. In the face of the revelations of the past few years we now know that the title "national bank" is more or less a misnomer and in many instances has been a hollow mockery. [Applause.]

The Seventy-second Congress has already passed some very beneficial legislation, such as the Reconstruction Finance Corporation bill, but it has not gone far enough. The \$2,000,000,000 refinancing measure has practically stopped bank failures, but the spirit of this legislation has not been carried out. The intent of Congress in passing this measure was to stabilize our banks and at the same time liquefy their assets so that they could extend credit to the business interests of the country. However, it is my information that it is just as difficult to obtain credit from banks—even those enjoying the benefits of this two billion Government loan—to-day as it was before the creation of

the Refinancing Corporation. It is openly charged that the greatest hoarders to-day are the banks themselves. It is charged that, with their vaults bulging with money, they stubbornly refuse to loan even on gilt-edged security. This, my colleagues, is another serious indictment against our present banking system.

Mr. Chairman, I am advised that from the smaller cities and towns throughout the Nation the idea of guaranty of bank deposits is enthusiastically acclaimed, and that the opposition to the proposition comes from the metropolitan centers. This is easily understood, for if deposits in all banks were guaranteed, there would, of course, be no choice as to safety, irrespective of the location of the bank. Money deposited in small cities, towns, and rural sections would be just as safe as money deposited in the large banks of the metropolitan center. Furthermore, any plan of this nature would of necessity diminish the amount of money that is daily being poured into New York, Chicago, and other large cities from the smaller communities. Great chain concerns rarely leave any money on deposit in the communities where they operate, but send it daily or weekly to the metropolitan banks. If all banks enjoyed Government protection to depositors, vast sums of money would remain in the local centers where it originates and where it could be used for the upbuilding of the local communities.

Such measures as the Reconstruction Finance Corporation and the Glass-Steagall Federal reserve bills are beginning to make inroads on the depression, but it can not be denied that they are only of a temporary nature. In talking and corresponding with bankers throughout the Nation, as well as feeling the pulse of the general public, it is the consensus of opinion that nothing short of a governmental guaranty of deposits will completely restore public confidence in the financial structure, on which rests to a large degree the revival of business and the termination of the present depression. Much of the opposition advanced is based upon the belief that if deposits were guaranteed it would cause poor banking, but in my judgment it would have the opposite effect. I am of the opinion that a Federal banking commission, functioning along the lines of the Interstate Commerce Commission, could beyond question control weak or unsound banking methods.

The Federal reserve banks, as you know, are owned entirely by the member banks, and I feel quite sure that the member banks would be perfectly willing to forego the small 6 per cent dividend they receive on their stock and permit this money to be set up in a guaranty fund. Furthermore, I believe the banks, as sole owners of the Federal reserve system, should have some voice as to what disposition is made of the balance of the earnings. Under our present system all earnings now in excess of dividend and surplus requirements are paid over to the Government as an excise tax. Since 1913 and including 1930 the Federal reserve banks have paid out in dividends \$275,136,225, and after dividends to stockholders and contributions to surplus have been made during that period \$147,126,822 has been paid to the Government, making a total of \$422,263,047 that could have been allocated to a guaranty fund. Had this been done, it would have more than paid all of the losses sustained by depositors in member banks.

I am advised by the American Bankers Association, of New York City, that 61.6 per cent of loans and 61 per cent of deposits are in member banks of the Federal reserve system and 38 per cent of loans and 39 per cent of deposits in nonmember banks. Comptroller Pole, at hearings before the House Committee on Banking and Currency, stated that in 815 national banks, which had been liquidated since 1865, general creditors were paid 70 per cent, and that if preferred and secured claims were included, the average was 79 per cent. You can easily see that, after all, the ultimate loss by depositors in insolvent banks is really small compared to losses sustained in any other kind of business.

In a rather lengthy communication from Hon. Newton D. Baker to a correspondent of mine the former Cabinet officer says:

My own feeling has for a long time been that the first step in this matter must be to require all banks in the country to become members of the Federal reserve system. Mr. Collins, of Washington, whom you, perhaps, know, has recently examined the legal aspects of the suggestion and finds adequate power in the Federal Government under the Constitution to make such a requirement. If that can be done I have no doubt that it would be possible to erect out of the earnings of the system by some process such as you have worked out a fund which would be a sufficient cushion to start the general project of guaranteeing deposits, and I can think of nothing more stabilizing or just than to have a banking system in which the depositor felt that he was as secure as the Government itself.

I believe it would be unfair and would probably invoke much opposition from State banking institutions everywhere to discriminate in any guaranty fund between national and State banks. It occurs to me that it would be a simple process to compel by act of Congress all banks of deposit to become members of the Federal reserve system, and thereby not interfere with the dual system of banking under which we now operate. This plan would not greatly interfere with the individual freedom of banks in the conduct of their business, but would bring them all under one central system required by a few amendments to the Federal reserve act.

I am of the opinion that with a Federal banking commission, properly selected and composed of trained men, including lawyers, bankers, and probably others, unsound banking could be controlled. Unfortunately, the Comptroller of the Currency has little or no power to correct unsound banking. His examiners can only criticize. If the criticisms of the examiners are not respected, the comptroller can only bring suit for the forfeiture of the offending bank's charter, and this would defeat the very purpose of his office in keeping banks open, providing no protection for depositors.

It is my thought that the Federal banking commission should have power to issue bonds, guaranteed by the United States Government, the proceeds of which to be used to pay depositors of insolvent banks in full as soon as claims are proven. These bonds should be marketed at a low rate of interest, and the interest collected on assets of insolvent banks would be sufficient to pay the interest on the bonds. They should be short-time issues, callable by lot; and as the assets of insolvent banks are converted into cash the bonds could be accordingly extinguished. On the closing of a trust of an insolvent bank, the remaining bonds could be called out of the assets collected. Any deficit would be available out of the guarantee fund.

It is also my thought that in any legislation of this nature it would likewise be well to correct some of the weaknesses of the past in the operation of banks by fixing rates of dividends. No doubt many banks now suspended would be open had they, over a period of years, built up their surplus fund instead of paying out a large part of their earnings in dividends. The capital structure should control the rate of dividend; that is to say, no dividend should be paid by member banks until their surplus shall equal at least one-fourth of their capital, and the maximum dividend to be paid by a bank whose surplus shall equal one-fourth and less than one-half of its capital should be limited to 6 per cent per annum. When the surplus shall equal one-half of its capital, the maximum dividend should not be more than 8 per cent. In cases where the surplus is equal to or exceeds the capital, the dividend rate might be discretionary. This principle is embodied in the measure under consideration.

It is my idea, Mr. Chairman, that banks operating on other people's money should not attempt to pay large dividends to their shareholders; that a reasonable dividend should be paid when earned. Sound banking requires an objective of strength and protection for depositors by a consistently increasing surplus.

The profits in the banking business are derived from the use of the people's money. If the profits of the banking business were confined to the earnings of the invested capital, banking would be a very unattractive business indeed. The fact that more than 8,000 banks in the United States have become insolvent and closed their doors during the past 10

years, jeopardizing more than \$2,000,000,000 of the people's money, certainly affords sufficient warrant for such legislation as is proposed in this bill.

Chairman STEAGALL of the Banking and Currency Committee, on page 5 of the hearings, epitomizes the argument for this legislation in the following language:

We must not fail to safeguard the Nation against a repetition of the disasters and distress resulting from bank failures during the past 10 years. It has brought ruin to banks, suffering to depositors, distress to the public, and destruction to business. The principle is accepted as sound on every hand by the Government, by the public, and by the banks themselves. The Government demands insurance when its funds are entrusted to a bank. Banks require bonds of employees for protection against dishonesty. The public invests in life insurance, in fire insurance, in the insurance of crops. Citizens insure themselves against their own negligence. Banks constantly protect particular deposits when such protection is required. Common sense and simple fairness suggest that the public at large be accorded the same consideration.

Mr. Chairman, I have consumed quite enough of the time of the House in this discussion. A number of bills on this subject have been presented to the Senate and the House, one of which was introduced by me. I take it that the bill before us is more or less of a composite of the best that is in these various proposals. A number of the suggestions contained in my bill are embraced in the measure before us. I would like to call your attention to another bill which I have introduced providing protection for banks which is now pending before the Banking and Currency Committee. This bill would make it unlawful, with a good stiff penalty for any person to utter or circulate false reports as to the solvency of a banking institution, that is, reports calculated to destroy confidence in such institutions and thereby precipitate a "run" on same.

The man that will do this deliberately and with premeditation is about the lowest form of animal life in my opinion. I could only compare him to this miserable creature Curtis, of Norfolk, Va., who attempted to capitalize the ghastly Lindbergh tragedy in a ghoulish effort to exploit his silly vanity. From information received by me I am satisfied that a large number of banks have been forced to suspend during this terrible period of depression due to false and malicious gossip and propaganda.

Mr. Chairman, of course the measure before us, being the initial step in Federal bank guaranty, is not 100 per cent perfect. Absolute perfection and infallibility should not be expected. But let us pass it and enter upon an experiment, which I predict will mean one of the greatest reforms that has ever been inaugurated to promote the welfare, happiness, and contentment of our people. [Applause.]

Mr. McFADDEN. Mr. Chairman, I yield 15 minutes to the gentleman from Kansas [Mr. McGugin]. [Applause.]

Mr. McGUGIN. Mr. Chairman, the title to this bill is "A bill to amend the national banking act and Federal reserve act, and to provide a guaranty fund for deposits in banks."

In my judgment, the title to this bill would more correctly disclose the contents of the bill if it were titled "An act to provide a guaranty fund for deposits in a part of the banks of the United States and to force the remainder of the banks into insolvency."

I believe that this bill in its present form, if enacted into law, will be the death warrant for the State banks of the United States and will bring immeasurable chaos and disaster to thousands of small and local banks of the country.

A law providing for a sound guaranty of deposits in banks is something which is much desired but most difficult to obtain. In prosperous times it may be possible for the banking structure of this country to work out a sound guaranty fund. There can be no sound or just guaranty fund which does not include every State and National bank.

The bill which is now before the Congress provides that for the deposits in a bank to be protected by the guaranty fund provided in the bill the bank must be one of three classes: First, it must be a member of the Federal reserve system; second, if not a member of the Federal reserve system, it must pass an examination which is prescribed by the

board administering this fund; and third, it must have a capital and surplus of \$25,000 or more.

These provisions disclose clearly that the intent and purpose of this act are to force every bank of the United States to become a member of the Federal reserve. When Congress creates a condition which forces every bank in the United States to be a member of the Federal reserve, then it would be far more honest for the Congress openly to state that it is the purpose of the Congress of the United States to destroy the State banking system and to compel every bank in the United States to be a national bank, under the direct control of the National Government. This is a violent invasion upon the sovereignty of the States. A sovereign power which can not control its own banking system is not worthy of the name and is no longer a sovereign power.

It is true that in section 208 this bill provides that a State bank subject to the approval of the board administering this fund can participate in this fund. However, this same section of this bill viciously belied this overture to the State banks. This is because in section 208 of this bill it is provided that such nonmember banks shall pay an initial contribution and an annual contribution in a sum which is twice as much as the contributions paid by member banks.

In section 202 of this bill it is provided that the Treasury of the United States shall make an advancement to this guaranty fund, each of the Federal reserve banks shall make an advancement to the guaranty fund, and each of the banks participating shall make an advancement to the fund. If we enact this bill into law, then we have provided that the Treasury of the United States, the Federal reserve banks, and the member banks have formed a gigantic conspiracy fund for the purpose of giving special privilege to the member banks and to destroy the outside banks.

With the deposits in member banks guaranteed by such a fund, it is obvious that the people of the United States will transfer their deposits from banks not participating in this guaranty fund to banks which are participating in this guaranty fund. This is such a vicious conspiracy in restraint of trade that if any other line of business in the United States would undertake to carry on a similar program it would be haled into court for creating an unlawful combination and conspiracy in restraint of trade. It would be facing dissolution and its officers facing the penitentiary.

When nonmember banks of the Federal reserve find their deposits slipping away from them into the member banks, as the case will be, if this bill is enacted into law, they will find that they will be compelled either to watch their institutions go into insolvency or be blackmailed into joining this association of guaranty banks to which they would be compelled by law to pay an annual contribution twice the amount paid by the privileged member banks.

Every Member of this Congress who votes for this bill is literally taking his hammer in hand, filling his pockets with nails, and nailing shut the doors of the State banks of America. It may be that Congress can not keep open all of the banks of this country. That is something which is beyond our control; but, if we pass this bill, the economic distress and human despair which will follow in the wake of the closing of thousands of State banks will be upon our hands. We shall be the ones who are directly responsible for it. Simply because we may not have the prescription in our medicine chest which will cure the patient which is upon our hands, that is no justification for administering strychnine to our patient.

In these times of distress it is common knowledge that there are thousands of banks in our country which can not pass the entrance requirements of the Federal reserve system.

This is no reflection upon these outside banks. Due to the same conditions, there are many banks that are in the Federal reserve system which are at this time in no position to meet the requirements for entrance. Yet under this bill the banks that are already in the Federal reserve system can participate in this fund, while equally as sound banks outside of the system can not participate in the fund. It

is true that under section 208 the nonmember banks that desire to participate in this guaranty fund must pass an examination by the board administering this guaranty fund rather than the Federal Reserve Board; however, it is obvious that the board administering this fund would of necessity prescribe an examination of equal rigidity as the examination for entrance into the Federal reserve system. If the board does not prescribe such an examination, it would be practicing a fraud upon the banks which are members of the Federal reserve system. It would be most dishonest for the board to permit weak banks to come into this fund and participate on equal terms and conditions with banks that are now members of the Federal reserve.

In this connection I have a telegram from the Hon. H. W. Koenke, bank commissioner of the State of Kansas. It is as follows:

Six hundred and forty-seven State banks and fifteen trust companies operating under Kansas charters. Five State banks are members of the Federal reserve system. Two hundred and ten State banks do not have sufficient capital to be eligible for membership; many would not be able to qualify at this time. It seems to me that the national bank guaranty law would have the exact opposite effect on Kansas banks than is the intention of the act. Your aggressive opposition appreciated.

H. W. KOENKE,
Bank Commissioner.

Here we find that in the State of Kansas, out of 662 State banks and trust companies, 5 of them are members of the Federal reserve system. Therefore only 5 of the 662 State banking institutions of Kansas would be eligible to participate in the guaranty fund provided by this act without at least paying an annual contribution of twice as much as the assessment against the member banks. Two hundred and ten of the State banks of Kansas, even though they were disposed to stand for this 100 per cent discrimination in assessments, would still be ineligible under this act, because they do not have a capital and surplus of \$25,000. Many of the remainder of these State banks could not at this time meet the requirements, notwithstanding the fact that they are equally as sound as many of the banks which are now members of the Federal reserve.

There may be those who have become so enamored with great national and international banking that they regard it as a matter of small concern as to whether or not these smaller State banks survive or perish. If these small banks are driven out of business, it means the death knell of banking credit for the individual and small business. Banking credit for the individual and small business made this a great country. During the some one hundred and fifty years' existence of this Republic, hundreds and thousands of men obtained a few hundred dollars of credit when their principal collateral was their character and integrity, and from that credit they developed into successful business men. They built the small communities of this Nation. It was men such as these who started the small institutions which grew into larger institutions; and as their institutions grew, country towns and villages grew into great industrial centers. It was the smaller banks which advanced such credit. The great banks did not advance it. Banks with large deposits are not interested in loans of a few hundred dollars.

When this country becomes so selfish and avaricious that it is only interested in credit for the great and powerful the old America which we know is bound to perish. I am not opposed to great banks for great credit, but great banks and great credit must leave a place in American life for small banks and small credit. I can understand how great banks and great credit in their wild and mad rush for wealth may ruthlessly destroy small banks and small credit but it is beyond my comprehension that Congressmen and Senators, representatives of the people, would ever enact legislation which overnight would more completely destroy small banks and small credit than any program which great wealth could ever establish.

In my own district there are 32 banks which are members of the Federal reserve system and 43 which are nonmembers. If I can help it, this Congress is not going to enact a bill

that will overnight drive the deposits out of those 43 nonmember banks into the 32 member banks. If I can help it, we are not going to destroy the majority of the banks in the district which I represent. In my judgment, any Member of this Congress who votes for this bill betrays the interest of the majority of his constituents and drives thousands into bankruptcy. When these deposits are driven out of these nonmember banks into the member banks the nonmember banks are forced to liquidate. When they are forced to liquidate that means that those who owe them money are in turn forced to liquidate. Immediate liquidation at this time will mean a sheriff's sale for the people who owe these nonmember banks. The interest of the stockholders in these nonmember banks is small as compared with the anguish and the despair which will fall upon their debtors who are forced to make an immediate liquidation.

I can not conceive how this Congress could perpetrate and inflict more cruelty upon a greater number of people than to enact a law which will inevitably drive into insolvency the great majority of the banks of this country that are not members of the Federal reserve system.

The fund provided by this bill which is to guarantee the deposits of certain banks is one-half billion dollars. This guaranty fund is confined practically exclusively to the deposits in national banks. As of June 30, 1931, the last available statistics which I have at hand, the total bank deposits of the United States were, in round figures, \$54,000,000,000. These deposits, in round figures, were divided as follows:

State banks and trust companies.....	\$21,000,000,000
National banks.....	22,000,000,000
Savings banks.....	11,000,000,000

This guaranty fund of one-half billion dollars is to guarantee \$22,000,000,000 of deposits in the national banks. It seems to me but a silly fancy and a childish dream to suggest that one-half billion dollars can guarantee the \$22,000,000,000 of deposits in the national banks. This means that \$1 stands as a guaranty for the safety of \$44. It is my judgment that this effort to guarantee \$22,000,000,000 of national-bank deposits with a one-half billion dollar guaranty fund will turn out to be a humbug and a fraud upon the American people, just as every State bank guaranty law has turned out to be a fraud upon the depositors in State banks. It seems obvious to me that the enactment of this law, providing for a one-half billion dollar fund to guarantee \$22,000,000,000 of national-bank deposits, will prove to be a failure. I am quite certain that the enactment of this law, which proposes to guarantee only the deposits of national banks, will cause chaos and pandemonium in the \$32,000,000,000 of deposits in the State banks and trust companies and in the savings banks. Any bank guaranty law which does not actually and honestly provide equal protection for the entire \$54,000,000,000 of bank deposits is an iniquity and a fraud practiced upon the American people, which, above all, should not be inflicted by the Congress of the United States.

Let us not lend the sanctity of the faith and the integrity of the Government of the United States to any bank guaranty law which will not adequately protect the deposits of every bank in the United States. If it is impossible for us to provide a guaranty fund which is adequate and substantial enough actually to protect the bank deposits which are secured, and to grant equal protection to the deposits of every bank in the United States, then let us leave it alone. Dreams and panaceas can not cure our present ills. Partiality and special privilege as between banking institutions and as between depositors are iniquities which this Government must not practice if we expect to survive and retain the confidence of our citizens.

If we enact this law then within a few years there will be no banks in this country except banks which are members of the Federal reserve system. When that happens, every small country national bank of this country will be but a gathering agency and sort of a subsidiary for the large banks. We can view the matter in the most charitable light, and we can not escape realizing that during the last 10

years the national banking department and the Federal reserve system have been used to destroy local and individual credit. We can not escape the knowledge that the national banking department and the Federal reserve system have been used for the benefit of large banks and to the detriment of the small member banks.

The national-bank examiners went into these small national banks and laid down the rule that paper which was not liquidated at frequent intervals was bad paper. These examiners compelled the local bankers to charge off paper which was not liquidated at frequent intervals. The management of these small national banks were not permitted to run their own institutions. They soon found that they could not give credit to their neighbors and local citizens. They were compelled to discontinue credit for customers who had dealt with these local banks for the years and upon which the banks had never lost a dollar.

These local national banks soon found that the only paper which they could have in their possession which would meet the approval of these examiners was a note secured by a certificate of stock in some corporation which was listed on the board of trade. This destroyed and denied credit for sound and legitimate local business. It furnished credit for stock gambling. With credit taken away from local and legitimate business, it was deflated. With credit given over to gambling, gambling was inflated. This is one of the principal reasons for the wild stock inflation which came to an end in 1929. These local national bankers also found that there were other securities which they could hold which met with the approval of these examiners. That other credit was bonds of foreign countries. International bankers floated these foreign issues, took their handsome commissions, and forced the bonds on to the local banks. Now we find the banks of this country loaded down with a lot of foreign loans which were floated by big banks. The Federal reserve system did not prevent this situation; on the contrary, it is obvious that it encouraged it.

The Federal reserve law was enacted with the supposed purpose of taking the banking business of this country out of the control of the big banks. The truth is, it turned it over to them. The large banking institutions have been able to use the Federal reserve system and to monopolize the banking and credit of this country to a far greater extent than they could ever have done without it. This is due to the fact that the law permits the membership of the Federal Reserve Board to be composed entirely of bankers. In the nature of things, this board, composed entirely of bankers, has been composed of men whose viewpoint is that of great banking and of great credit with no regard for small banking and small credit.

As a matter of fact, their viewpoint has been one of contempt for small banking and small credit. It is obvious that the Federal reserve system has been operated in the interest of the lender of money and with no fair regard for the borrower of money. Human nature would permit no other course, when the board which controls the Federal reserve system is composed of those whose training is along the lines of great international and national banking rather than along the lines of local banking and local credit. Until such time as the borrowers of money are represented on the Federal Reserve Board along with the lenders of money, the Federal reserve system of this country will be a curse to local and individual credit rather than a benefit. A fair regard for the welfare of local banking, whether it be National or State banks and individual credit, requires that the entire banking structure of this country must not be controlled by the Federal reserve system, an instrumentality of the National Government.

We talk about centralized wealth being a menace to the welfare of the people, yet the truth is it is a lesser menace to the liberty and welfare of the people than centralized government. As a matter of fact, centralized wealth could never reach such a menacing proportion except that we have centralized government. However, if we have centralized wealth, we are bound to have centralized government. When Congress drives all of the banks into the Federal reserve

system, an agency of the National Government, it has taken the longest possible step toward centralized wealth and centralized government. The State banking system of this country is the last bulwark between the people and centralized wealth and government. The State banking system must not be destroyed. This bill will destroy the State banking system. It must not be passed. [Applause.]

Mr. STEVENSON. Will the gentleman yield?

Mr. MCGUGIN. Yes.

Mr. STEVENSON. The gentleman says State banks could not become members of the Federal reserve bank. The gentleman has not considered the fact that they can become members of this fund if they have \$25,000 of capital and surplus and a certificate of good health from the State banking department.

Mr. MCGUGIN. Yes; for three years' time; and at the end of the three years you force every State bank in this country to be at the mercy and under the domination of this board.

Mr. STEVENSON. It requires them to submit to an examination, the same as any other bank.

Mr. MCGUGIN. Why do you not in this bill make it for all time? Why do you not provide that for three years State banks participating in this fund need no further credentials than from their own State banking department? Why not make it any unlimited period instead of three years, enough time to fish them into the system?

Mr. KELLER. Will the gentleman yield?

Mr. MCGUGIN. Yes.

Mr. KELLER. I would like to know whom we are trying to help through this bill—the people who are going to put money into the banks or the banks primarily?

Mr. MCGUGIN. The main point is this, as I view it: You can not set up a fund which guarantees about 40 per cent of the deposits of this country without spreading chaos and pandemonium among the other 60 per cent.

Mr. KELLER. If there are objections to the bill, why not propose amendments to the bill that will make it possible for these State banks to come in?

Mr. MCGUGIN. I take it that the reason the committee backed off from the State banks is because there are so many of them that it was feared that they would break down the entire guaranty fund.

Mr. KELLER. I do not think so. I have many letters from my State banks. What I am trying to get at is this: The bankers of this country, both National and State, have had things to suit themselves for all these years, and as far as I know they have never made any provision for the protection of the people of this country when they put their money in the hands of those bankers. Have they or not?

Mr. MCGUGIN. I can not answer as to the past conduct of all the banks of the country.

Mr. KELLER. Well, have they or have they not? Why have they not done it?

Mr. TILSON. Will the gentleman yield?

Mr. MCGUGIN. Yes.

Mr. TILSON. I wish to ask the gentleman if this is not the effect of this bill: That we are taking \$150,000,000 out of the Treasury of the United States and constituting it a guaranty fund to be added to by a further liability on the part of the United States in case it is needed, and that thereby we guarantee only a limited number of banks in which depositors have deposited their money? Is not this the effect of it?

Mr. MCGUGIN. That is my understanding of the effect of it; yes; with the exception of one part of the gentleman's question. The gentleman said we are taking \$150,000,000 out of the Treasury. That is true. Then the gentleman said there was a further liability. I can not answer as to that part which pertains to a further liability.

Mr. STEAGALL. Will the gentleman yield?

Mr. MCGUGIN. Yes.

Mr. STEAGALL. There is not any liability whatever touching the Treasury of the United States, except the \$150,000,000 which is taken out of the Treasury for the pur-

pose of starting the initial guaranty fund. We take that because the Federal reserve banks have put that amount into the Treasury.

Mr. TILSON. But it is in the Treasury; and once it is taken out by this bill or through any other means, we shall have to make it good.

Mr. KELLER. If it does not belong to us, we ought to make it good, ought we not?

Mr. TILSON. But it does belong to us.

Mr. McFADDEN. Will the gentleman yield?

Mr. McGUGIN. Yes.

Mr. McFADDEN. Referring to the colloquy that has just taken place, the actual amount that under this bill would come from the United States Treasury is \$147,126,882. In addition there is \$150,000,000 to be taken out of the reserve or surplus of the Federal reserve system, which really belongs to the United States, making a total of \$297,000,000.

Mr. STEAGALL. Will the gentleman yield to me? I am sure the gentleman from Pennsylvania [Mr. McFADDEN] does not want to mislead the Members of the House, and certainly there is no foundation for that statement.

Mr. McFADDEN. Will the gentleman from Kansas yield further to me?

Mr. McGUGIN. Yes; I yield to the gentleman from Pennsylvania.

Mr. McFADDEN. The gentleman from Alabama [Mr. STEAGALL], the chairman of the committee, has questioned my statement about the withdrawal of \$150,000,000 of surplus from the Federal reserve system.

Mr. STEAGALL. No; I do not question that statement, so long as it is put in that language.

Mr. McFADDEN. Just what was the objection to the statement then?

Mr. LA GUARDIA. That it belongs to the Treasury of the United States.

Mr. STEAGALL. Yes.

Mr. McFADDEN. May I say that the law provides that in case of liquidation of the Federal reserve system the surplus of the Federal reserve system belongs to the United States Treasury.

Mr. LA GUARDIA. In case of liquidation, yes; but this is anything but liquidation. This is giving the member banks the benefit of their own reserve and surplus.

Mr. McFADDEN. This is not their own reserve. The banks have nothing in the world to do with it. It can not be distributed to them in any way. The only distribution of this surplus must go to the United States and not to the member banks of the reserve system.

Mr. McGUGIN. I may say to the gentleman from New York [Mr. LA GUARDIA] that that statement does not apply to the \$150,000,000 that the Government is actually putting up and contributing to this fund.

[Here the gavel fell.]

Mr. McFADDEN. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. CABLE].

Mr. CABLE. Mr. Chairman, there were 30,800 banks in the United States in 1921. To-day there are approximately 20,200. Banks that failed or suspended payment between 1921 and 1932 number 7,000. Neither weakness in banking structure nor lack of competent management can be blamed entirely for these failures; depression in agriculture, flight of profitable business to larger cities (attended by heavy withdrawals), accumulation of worthless paper, and the establishment of too many banks for the population in the area served are some of the reasons for these failures. A large percentage of the failed banks had capital of \$25,000 or less, or were located in towns of 5,000 or less. The sudden collapse in the stock market was not the sole cause of bank failures; many occurred before that time. It did, however, have a staggering effect on business, which threw a heavy burden on the banks.

In the spring of 1931 fear of impending disaster caused individuals to withdraw their currency from the banks. The postal savings increased from a balance of \$175,271,686 as of June 30, 1930, to \$347,416,870 as of June 30, 1931. On April 30, 1932, the balance in postal savings to the credit of

depositors was \$713,866,528. The number of depositors in postal savings has increased to more than 1,250,000. Because of lack of confidence in any institutions, \$1,250,000,000 additional went into hiding, in safe-deposit boxes, in the ground, and elsewhere.

Faced with this situation and the fear of sudden demand by depositors, the banks of the country refused to make further loans and began to liquidate. In October, 1931, we had a bank panic; 522 banks were closed during that month. In November 175 were closed; in December, 358; in January, 1932, 342 banks were closed. Failures in 1931 amounted to 2,290 banks, with deposits of \$1,759,000,000. Of these failures, 410 were national banks and 108 were State banks which were members of the Federal reserve system. The money tied up in closed banks during 1931 was but \$30,000,000 less than the total amount of money tied up in closed banks during the whole of the preceding nine years.

RECONSTRUCTION FINANCE CORPORATION BRINGS ABOUT A DECLINE IN BANK FAILURES

To restore confidence, stop hoarding, prevent bank failures, and to provide emergency financial facilities for financial institutions, Congress passed the act creating the Reconstruction Finance Corporation. This was approved by the President and became a law on January 22, 1932.

This law authorized loans to be made upon approved security to banks, trust companies, building and loan associations, insurance companies, mortgage-loan companies, joint-stock land banks, livestock credit companies, agricultural credit corporations, and railroads. Charles G. Dawes was named president of the corporation. Eugene Meyer, governor of the Federal Reserve Board, was named chairman. The directors include Ogden L. Mills, Secretary of the Treasury.

By February 2, 1932, the corporation began to function. On March 31, 1932, loans had been made, fully and adequately secured, in an amount of more than \$238,000,000. Of this sum, \$158,182,242.06 went to banks and trust companies, of which \$2,173,000 were used to aid in reorganization and liquidation.

By April 19, \$243,248,769 had been loaned to 1,520 banks and trust companies, and an additional sum of \$17,326,748 had been loaned to 98 building and loan associations; 69.2 per cent of this money went to banks in towns and cities of 5,000 or less; 84.6 per cent went to banks in cities of 25,000 or less, and only 5.3 per cent of the money loaned went to banks in cities of 1,000,000 or more inhabitants. Thus, it is apparent that by far the greatest portion of the Reconstruction Finance Corporation's financial aid to banks, trust companies, and building and loan associations was extended to such institutions in our smaller towns and cities.

The result of the act was to check bank suspensions. In February, 1932, the number of suspensions had been reduced to 122, and 46 banks reopened during that month. In March there were but 45 suspensions and at the same time 28 reopenings. The Reconstruction Finance Corporation is not intended as a permanent organization. It is not intended to continue for such a period of time that it can be used to prevent a recurrence of bank failures. The welfare of the people depends to a very great extent upon continuation of our banking institutions. It is of national importance that financial panics should not again occur. If Congress by law can strengthen and stabilize the banking institutions and preserve and maintain the confidence of the people in them, it is the duty of this body to do so.

GUARANTY OF BANK DEPOSITS TO PROTECT DEPOSITORS

My proposed remedy is set forth in a bill—H. R. 11201—which I introduced in the House, providing for the formation of a Federal bank-deposit guaranty and insurance corporation to insure bank deposits. The management was to be independent of the Federal reserve system, and the guaranty fund was to be created by payment of premiums based on the average daily bank deposits balance of each bank.

The House Committee on Banking and Currency has seen fit to report out a different kind of bill, one which nevertheless would, if enacted into law, guarantee bank deposits. The measure now before the House is known as the Steagall

bill, and provides a guaranty fund of \$517,000,000, without a Treasury appropriation. This fund would be created out of \$167,000,000 in franchise taxes paid by banks of the reserve system, \$150,000,000 from surpluses now in the hands of the banks, and an assessment of \$200,000,000. This fund would be administered by a board to be composed of the Secretary of the Treasury, the Comptroller of the Currency, and three members appointed by the President and confirmed by the Senate. Authority to liquidate closed banks and pay off depositors in full at any time after a bank is closed would be delegated to this board. An amendment, which, I understand, is acceptable to Chairman STEAGALL, has been proposed to permit all State banks, regardless of the amount of their capital, to enjoy the benefits of the guaranty and insurance features if and when they qualify. Upon payment of an assessment all State banks not members of the Federal reserve system would be permitted to contribute to and participate in the guaranty fund provided by the Steagall bill.

Mr. STAFFORD. Why not guarantee everybody a living for life?

Mr. CABLE. I am glad the gentleman has asked that question. Some one here has compared the grocery business with the banking business. A bank is a lawful monopoly. Before a bank may be established and operated, the Government, Federal or State, must first give its consent. The men, women, children, and the industries of your home town depend upon the solvency of its banks.

Mr. LaGUARDIA. And the gentleman should add that the grocer is dealing with his own goods, whereas the bank is dealing with the money of its depositors.

Mr. MARTIN of Oregon. Will the gentleman yield?

Mr. CABLE. I yield.

Mr. MARTIN of Oregon. The gentleman has made a study of this question, and I would like for the gentleman to tell us why the guaranty of deposits laws have failed in the States where they have been tried.

Mr. CABLE. That question has been raised before, and I am glad to answer the gentleman from Oregon. A State law to guarantee bank deposits confines the burden of expense and security to too small a territory. A crop failure in one State in the past has wiped out the security and destroyed the guaranty system of that State. Oil-stock manipulation in the State of Oklahoma wiped out the securities in its banks. If the burden is spread over the entire United States, a crop failure in the gentleman's own home State of Oregon or an oil-stock manipulation in another State, would not break down the system of guaranteeing bank deposits; there still would be sufficient security in the other States to protect the banks and carry on the business.

Then, too, as is indicated by the hearings before the committee on the bill now under consideration, inefficient examination, lax administration, and indiscriminate granting of charters in States that enacted guaranty laws had much to do with the failure of those guaranty systems.

I quote from the "Business Week," which appears in the Literary Digest of January 2, 1932:

The fact that it has failed where applied locally proves no more than that it is impossible for a single community alone to insure itself successfully against death or fire. It must, of course, be applied on a national scale so as to spread the risk widely over diverse conditions and be coupled with machinery for enforcing uniform standards of banking practice.

The risk is easily calculable on an actuarial basis.

Even in the epidemic conditions of the past 10 years it is so small compared with the total of deposits that the reserve required for protection against actual losses from bank liquidation would be relatively small, and the burden upon the banking system as a whole would be slight.

The committee guaranty bill now before us provides for diversification of risk over the entire country.

THE ALTERNATIVE—A NATIONAL SYSTEM OF BRANCH BANKS

The Comptroller of the Currency, J. W. Pole, when he recently appeared before the House Committee on Banking and Currency, advocated regional branch banks and reminded the committee that, in his opinion, the remedy for the country-bank situation is a system of branch banking

built up around strong city banks operating under close Government supervision.

A bill introduced by Senator GLASS is now pending in the United States Senate providing, among other things, for a system of branch national banks. If that provision should become a law, it would give national banks the right within the State of their domicile, as well as in adjoining States within 50 miles of the parent bank, to establish branch banks, irrespective of State laws. In my opinion, this bill should not become law—it would destroy our local banks by forcing them to sell out, become a branch of a national bank, or go out of business.

Mr. Pole and Senator GLASS may have in mind the Canadian system of national branch banks. As a matter of fact, opponents of the proposal to guarantee bank deposits point to Canada. They say, "There have been no bank failures in Canada. Canada has no deposit guaranty system. Let us try the Canadian system."

Compare the American banking situation with the Canadian. In the United States we have two independent systems of banks—the national banks and the State banks. National banks were created to meet national needs only. Later the Federal reserve system was created to stabilize and assure flexibility in those banks which should become members of that system. State banks may by complying with certain requirements become members in full standing with national banks.

Thus we have in this country nearly 20,000 independent banks, each responsive to the needs and interests of the community which it serves.

In Canada, on the other hand, there are 10 large banks, located in as many large cities, with a total of 4,000 branch banks scattered all over the country. One of the 10 Canadian banks has 1,000 branches and holds 27 per cent of Canada's entire commercial banking assets.

The United States and Canada are of approximately equal area, and both have practically the same mineral and other natural resources. The United States, however, has a population twelve times as large as that of Canada, a natural wealth twelve times as great, and an annual income thirteen times as great. Banking problems in the United States consequently are correspondingly more complex.

Branch banking is not the solution or remedy to avoid bank suspensions. The Home National Bank of Canada, for example, with deposits of \$15,000,000 suspended payment and failed within the last few years, carrying down with it all of its branch banks. In December, 1930, the Bank of United States in New York suspended payment. It had 58 branches in the city of New York with total deposits of \$161,000,000. All of the 58 branches were closed with the parent bank.

Of the 20,000 banks in the United States, upon whom our people are dependent for financial assistance, approximately 18,000 are independent State banks. It is proposed to destroy our dual system of independent banks by authorizing the national banks to establish branch banks throughout the country, without regard to State laws. There thus would be created a single system of banks. In many States branch banking is prohibited. In Ohio, for example, branch banking is prohibited excepting within the municipal limits of the parent bank.

If Senator GLASS's plan or the recommendation of Mr. Pole should become law, the independent State banks would be forced to sell out their independence and their assets to a national bank and become a branch bank of that system. Should such a system of branch banking ever be established, the change would be attended by a destruction of individual initiative and enterprise, which are so essential to good citizenship.

In endeavoring to strengthen our financial institutions, or any of our other institutions, we must not forget that the ultimate strength of our Nation depends upon the strength of a citizenry made up of persons who are individually strong.

If we ever establish a national system of branch banks, those men and women who now are presidents, vice presidents, and cashiers of their own banks would become man-

agers and tellers of branch banks of some large central bank, miles away from the local community, and whose officers have absolutely no personal interest in the welfare and growth of the local community.

Another system of banking is that known as chain banking. In Ohio, for example, as well as in New York, New Jersey, and Pennsylvania, the State law permits branch banking only in the city of the parent banks. Few States authorize branch banking. Primarily in those States which have no branch-banking laws, but even in those States which have them, individuals or holding corporations acquire the control of a number of independent banks through the purchase of their stock. Banks thus controlled are known as chain banks. They have the same serious effect upon home communities as chain stores. The ownership, control, and interest being foreign, they do not respond to local needs. The funds may be shifted at will by those who control these banks, to the detriment of local communities, just as funds collected by chain stores are taken from small cities and villages and sent to the great money-market centers. Pool operation, or chain operation, as it is called, makes it possible to raise interest rates in one community above a profitable level. When a monopoly is created, the interest rates are lowered again. Such cut-throat competition destroys or weakens independent local banks.

The people of the United States are confronted with an emergency as serious as war. Misery is widespread. Most Members of the House have seen suffering and distressed bank depositors—the destruction of their business and the loss of their homes. Thousands have been reduced to poverty and despair. Life savings, security for old age, have dwindled to almost nothing. To a great extent all this is the result of bank failures. The length and severity of the depression have been due principally to the closing of many banks and the inability of others to function normally. Our concern is the continued solvency of the banks of our communities, because we are interested chiefly in the future welfare of bank depositors.

I quote Henry M. Dawes, former Comptroller of the Currency, who stated at a hearing before the House Committee on Banking and Currency:

The man who knows his customers and who lives in the midst of their environment is infinitely more competent to handle their funds than the most technically proficient banker in New York. In branch banking, character loans are impossible. The development of America is dependent on nothing else than on the independent-unit bankers of vision, courage and independence, whose first interest in the creditor is his character.

Neither branch banking nor chain banking will remedy the situation. The solution is the insurance or guaranty of bank deposits. That will restore confidence and aid materially in bringing us out of the depression.

Mr. STEAGALL. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WOODRUM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11362 and had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—
To Mrs. NORTON, for the remainder of the week, on account of illness.

To Mr. CROWTHER, for one day, on account of important business.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER. The Chair designates the gentleman from Illinois [Mr. RAINEY] to preside at the session to-night.

PROCEEDINGS AT UNVEILING OF STATUE OF CHARLES BRANTLEY AYCOCK

Mr. STEVENSON. Mr. Speaker, I send up a privileged resolution, House Concurrent Resolution 31, for present consideration.

The Clerk read as follows:

House Concurrent Resolution 31

Resolved by the House of Representatives (the Senate concurring). That there be printed with illustrations and bound 5,000 copies of the proceedings in Congress, together with the proceedings held at the unveiling in Statuary Hall, upon the acceptance of the statue of Charles Brantley Aycock, presented by the State of North Carolina, of which 1,000 copies shall be for the Senate and 2,500 copies for the use of the House of Representatives, and the remaining 1,500 copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of North Carolina.

The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer and shall procure suitable illustrations to be published with these proceedings.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. STAFFORD. Is this the customary allotment?

Mr. STEVENSON. Yes; this is the customary resolution and allotment, except that formerly it was the habit to print 20,000. We have recently cut that down to 5,000.

The SPEAKER. The question is on agreeing to the concurrent resolution.

The concurrent resolution was agreed to.

HOOR OF MEETING TO-MORROW

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-night it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I reserve the right to object. There are some very important committee hearings going on, and I feel constrained to object.

Mr. STEAGALL. We want to use the time in general debate.

Mr. STAFFORD. That is very true; but frequently when we do come at 11 o'clock, some one makes the point of no quorum, and no advantage is had. I object.

EXTENSION OF TIME FOR GENERAL DEBATE

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent that the time for general debate upon the pending bill be extended for one hour, to be equally divided between the gentleman from Pennsylvania and myself, the debate to be confined to the bill.

The SPEAKER. Is there objection?

There was no objection.

INVESTIGATION OF GOVERNMENT COMPETITION

Mr. COX. Mr. Speaker, I ask unanimous consent for the present consideration of House Resolution 235, which I send to the desk.

The SPEAKER. Is there objection?

Mr. STAFFORD. Let the resolution be reported.

The Clerk read the resolution, as follows:

House Resolution 235

Resolved, That the Speaker of the House of Representatives be, and he is hereby, authorized to appoint a special committee to be composed of five members for the purpose of investigating Government competition with private enterprise and all other questions in relation thereto that would aid the Congress in any necessary remedial legislation. The committee shall report to the House not later than December 15, 1933, the result of its investigation, together with such recommendations for legislation as it deems advisable.

That said special committee or any subcommittee thereof is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to employ such experts, and such clerical, stenographic, and other assistants, to require the attendance of such witnesses and the production of such books, papers, and documents, by subpoena or otherwise, to take such testimony, to have such printing and binding done, and to make such expenditures as it deems necessary, and such expenses thereof shall be paid on vouchers ordered by said committee and approved by the chairman thereof. Subpoenas shall be issued under the signature of the chairman and shall be served by any person designated by him. The chairman of the committee or any member thereof may administer oaths to witnesses. Every person who, having been summoned as a witness by authority of said committee, or any subcommittee thereof, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the

investigation heretofore authorized, shall be held to the penalties provided by section 102 of the Revised Statutes of the United States.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I reserve the right to object. Has any estimate been made as to the cost of this peregrinating committee?

Mr. COX. It will cost a minimum sum, not very much. It is believed that the entire investigation may be conducted here in the city of Washington.

Mr. STEVENSON. Mr. Speaker, I would like to know what it is that is being investigated.

Mr. COX. It is the question of competition as between Government and private enterprise—in other words, the Government engaging in the mercantile business and the restaurant business and in every form of business.

Mr. STAFFORD. The majority of this Congress is on record as favoring the manufacture of fertilizers at Muscle Shoals. What is the use of investigating minor manufacturing?

The SPEAKER. The Chair was informed that this came as a unanimous report from the Committee on Rules, and the gentlemen in charge on each side were in favor of the resolution. Otherwise the Chair would not have recognized the gentleman to take it up at the hour.

Mr. MAPES. Mr. Speaker, I reserve the right to object. I think it will be interesting to have some statement from the gentleman from Georgia as to just what investigation this resolution contemplates. It is very broad in its terms. What is the specific thing that the proponents of the resolution have in mind to investigate?

Mr. COX. The resolution is intended to set up a committee to deal with the question of the Government competing with private individuals in the restaurant business, in the laundry business, and every other form of business. In other words, the Government, ostensibly for the benefit of employees, establishes a restaurant in one of the buildings, which the public within that vicinity patronizes.

Mr. WOODRUM. Mr. Speaker, to end the argument, I object.

Mr. COX. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution, House Resolution 235, and ask for its immediate consideration.

The SPEAKER. The gentleman from Georgia calls up a resolution, which the Clerk will report.

Mr. MARTIN of Oregon. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Georgia makes a point of order that there is no quorum present.

Mr. COX. Mr. Speaker, I ask leave to withdraw the request.

The SPEAKER. The gentleman from Georgia asks leave to withdraw his request to call up the resolution.

Mr. MARTIN of Oregon. Mr. Speaker, I withdraw the point of order of no quorum.

RECESS

Mr. RAINEY. Mr. Speaker, I move that the House now recess until 8 o'clock to-night.

The motion was agreed to.

Accordingly, pursuant to its previous order, the House recessed until 8 o'clock p. m.

EVENING SESSION

The recess having expired at 8 o'clock p. m., the House was called to order by the Speaker pro tempore, Mr. RAINEY.

PRIVATE CALENDAR

The SPEAKER pro tempore. Under unanimous-consent agreement heretofore entered into, the House is in session until 10.30 o'clock p. m. for the purpose of considering bills on the Private Calendar under the old rule, commencing at the last starred bill where the call left on April 26 last. The present occupant of the Chair desires again to suggest, as he did on the 26th day of April, that if Members objecting to bills would make their objections and not reserve them, and if proponents of bills who desire to present their case

would extend their remarks in the Record, it might be possible to call more bills.

On April 26 there were 495 bills on the Private Calendar from the point where we left off. Now there are 686 bills on the Private Calendar. This calendar grows faster than we can dispose of bills on it.

The Chair is powerless to carry into effect these suggestions but can do it with the cooperation of the Members present, and it might not be impossible to call as many as a hundred bills in a night.

Members who fail to get their bills considered are likely to meet with some objections when they get home. Questions will be asked as to their efficiency; yet Members are perfectly powerless in the matter. If we can call as many as a hundred bills to-night, the Chair will cooperate and do the best he can to get sessions, either night sessions or day sessions, during the remainder of this session to complete the entire Private Calendar and call all unobjected-to bills.

The Clerk will call the first bill.

WILL A. HELMER

The Clerk called the first bill on the Private Calendar, H. R. 1448, for the relief of Will A. Helmer.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, when the House was last considering Private Calendar bills unobjected to there was a reservation of objection to this bill, and the gentleman from Michigan, Mr. HOOPER, had the floor.

Since that time I have examined the report again, out of courtesy to the gentleman. I believe he wishes to make a brief explanation, and I yield to him for that purpose.

Mr. HOOPER. Mr. Speaker, I shall not take the time of the House, in view of what the Speaker pro tempore has said, to make an explanation.

The gentleman from Wisconsin has said he intended to object to it. I wish to make the statement that I feel this is a meritorious bill. The War Department has reported on it, and I hope the gentleman will go fully into the facts.

Mr. STAFFORD. I will be pleased to cooperate with the gentleman as to matters referred to in the report of the Secretary of War and see whether the burden is upon the Government or upon the Michigan Central Railroad. I am of the opinion it is an obligation of the Michigan Central Railroad and not of the Government.

I object, Mr. Speaker.

JOSEPH C. GRISSOM

The Clerk called the next bill, H. R. 1668, to carry out the findings of the Court of Claims in the case of Joseph C. Grissom.

Mr. STAFFORD. Mr. Speaker, I object.

Mr. MANLOVE. Will the gentleman from Wisconsin withhold his objection?

Mr. STAFFORD. I shall be pleased to withhold it.

Mr. MANLOVE. I wish to make an explanation that probably does not appear on the face of the original report on this bill. I will ask the gentleman if he has the supplemental report?

Mr. STAFFORD. I have, and I have read it very carefully.

Mr. MANLOVE. I desire to call the attention of the gentleman from Wisconsin to the fact that I consider this one of the most meritorious bills that have ever been on this calendar.

This is a bill which calls for the payment of a man who was commissioned by the Governor of Indiana a second lieutenant, and who served in that capacity for a year, and did the work of a second lieutenant.

Mr. STAFFORD. Will the gentleman yield?

Mr. MANLOVE. Certainly.

Mr. STAFFORD. The records of the War Department, not of the adjutant general's office of the State of Indiana, but of the War Department, show that he was never mustered in as second lieutenant during the period referred to; that he could not be mustered in as second lieutenant because there were not a sufficient number of men in the com-

pany. Further, he was a sergeant. There are any number of instances of similar purport. If we recognize the claim of this man, we will have to recognize the claims of the others.

Mr. MANLOVE. May I ask the gentleman if he believes it is proper or right for the Government of the United States to withhold payment to one person simply because there are other meritorious claims that have not been made?

Mr. STAFFORD. It is a principle of the Army that whenever a company has not sufficient personnel to warrant the granting of a commission and the man is acting in another capacity, although he is doing the work of a higher rank, he draws the pay of the rank in which he is serving.

Mr. Speaker, I object.

Mr. MANLOVE. If the gentleman from Wisconsin will yield—

Mr. PARKS. May I say to the gentleman from Missouri that if the gentleman from Wisconsin is going to object, why waste time in further explanation?

I would not interfere with anybody's bill for anything.

Mr. MANLOVE. I would not interfere with anybody's bill myself.

The SPEAKER pro tempore. Objection is heard. The Clerk will call the next bill.

E. C. SAMPSON

The Clerk called the next bill, H. R. 4149, authorizing the Secretary of the Interior to pay E. C. Sampson, of Billings, Mont., for services rendered the Crow Tribe of Indians.

Mr. BLANTON. Mr. Speaker, reserving the right to object—

The SPEAKER pro tempore. Objection is heard.

Mr. BLANTON. No; I did not object; I reserved the right to object. I wish to make a statement to the gentleman from Montana. While this bill involves only \$600, it establishes a bad precedent by paying so-called expert witnesses.

In my State we have gotten to the point where you can not subpoena a doctor to come and testify in a case, like the ordinary witness, unless you pay him something or else have the court force him to attend. He wants \$25 a day to testify as a physician. If you summon an engineer he will not come to court unless the court makes him or else you put up \$25 a day or \$50 or \$100 a day. I am against that sort of practice. Whenever a witness is needed in court he ought to be subpoenaed or his deposition ought to be taken, and he ought to be treated exactly like every other witness who comes into court. Mr. Speaker, I object.

RELINQUISHMENT BY THE UNITED STATES OF CERTAIN LANDS TO THE CITY OF COEUR D'ALENE, STATE OF IDAHO

The Clerk called the next bill, H. R. 1133, to provide for the relinquishment by the United States of certain lands to the city of Coeur d'Alene, in the county of Kootenai, in the State of Idaho.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States relinquish unto the city of Coeur d'Alene, in the county of Kootenai, in the State of Idaho, all of its right, claim, or title to or the possession of all that part of the Fort Sherman Military Reserve (now abandoned) in section 14, township 50 north, range 4 west, Boise meridian, described as follows: Commencing at the southeast corner of the Fort Sherman Military Reserve (now abandoned) in section 14, township 50 north, range 4 west, Boise meridian; thence running northwesterly in a direct line, making a northwesterly included angle of 84 degrees, 33 minutes with the east limit of said Fort Sherman Military Reserve, a distance of 661.6 feet more or less to the boundary between lots 48 and 49 of said Fort Sherman Military Reserve and the true place of beginning; thence northerly along said boundary 531.76 feet more or less to a point distant 100 feet measured at right angles southwesterly from the center line of the main track of the Spokane, Coeur d'Alene and Palouse Railway Co.; thence angle 150 degrees, 31 minutes to the right and running southeasterly a distance of 617.6 feet; thence angle 120 degrees, 37 minutes to the right and running westerly 304.1 feet more or less to the true place of beginning; containing 1.83 acres more or less, situate in Kootenai County, Idaho.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

WILLIAM ALEXANDER KEYS

The Clerk called the next bill, H. R. 2707, for the relief of William Alexander Keys.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury of the United States is authorized and directed to pay to William Alexander Keys, of Brockway, Pa., the sum of \$845 in repayment of purchase money paid by him on a portion of mineral entry 046436, Los Angeles, Calif., receipt No. 2983484, and which repayment is authorized by the provisions of the act of March 26, 1908 (35 Stat. 48), as amended by the act of December 11, 1929 (41 Stat. 366), and was recommended by the Commissioner of the General Land Office, approved by the Secretary of the Interior, and disallowed by the Comptroller General of the United States.

Mr. STAFFORD. Mr. Speaker, I offer an amendment. In line 10, strike out "1929" and insert "1919."

The SPEAKER pro tempore. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: On page 1, in line 10, strike out the figures "1929" and insert in lieu thereof the figures "1919."

Mr. STAFFORD. Mr. Speaker, I offer this amendment in view of the recommendation of the Commissioner of the General Land Office, as found in his report, in which he calls attention to the fact that the date should be 1919 and not 1929. I am relying entirely upon the recommendation of the Commissioner of the General Land Office.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

MARGARET DIEDERICH

The Clerk called the next bill, H. R. 954, for the relief of Margaret Diederich.

Mr. ARENTZ. Mr. Speaker, reserving the right to object, I would like to have some explanation of this bill. It is for the relief of one Margaret Diederich, whose husband was a consular officer and who died two years after retirement. It is now recommended that we pay his widow one year's salary.

Mr. SCHAFER. I will be glad to give the gentleman an explanation. This bill was reported last Congress by the Foreign Affairs Committee in an omnibus bill, together with a number of other bills of a similar nature. It had the favorable recommendation of the State Department. Mr. Diederich was the American consul general at Antwerp, Belgium, at the outbreak of the World War. By reason of the extraordinary duties placed upon him in 1914 he broke down physically and mentally and his family lost practically all of their personal effects at the time of the German invasion.

The arduous duties placed upon the American consul at Antwerp, Belgium, beginning in 1914, prior to the time we entered the war and prior to the time that the American Government furnished him with ample assistance, resulted in his physical breakdown and eventually in his death.

Mr. LINTHICUM. Will the gentleman yield?

Mr. SCHAFER. Yes.

Mr. LINTHICUM. I am in favor of the bill, but I would like to know what the Claims Committee had to do with it.

Mr. SCHAFER. I will say to the gentleman that a number of these bills have been referred to the Claims Committee. In view of the fact that an appropriation is involved, the Claims Committee believed that it should have jurisdiction. Within the past month or two the Claims Committee has had four or five similar bills referred to it. This Friday, at the Claims Committee meeting, I am prepared to recommend favorable action on a bill introduced by Senator WAGNER, which is practically identical with this bill.

Mr. BLANTON. Mr. Speaker, I reserve the right to object in order to ask a question. We now have a law that takes care of the widows of officers dying in the Foreign Service, and that law provides for the payment of one year's salary, does it not?

Mr. SCHAFER. Yes; I believe so.

Mr. BLANTON. Why does not this man come under that law?

Mr. SCHAFER. He does not. The gentleman is a distinguished lawyer and a former distinguished judge of the State of Texas. The gentleman knows that employees who have been separated from the service of the Government prior to the enactment of a law which did not contain a retroactive provision can not receive the benefit of such law.

Mr. BLANTON. Then this is an extension of the law.

Mr. SCHAFER. No; this is merely following the precedents and is an exception.

Mr. BLANTON. This is to make it retroactive, and then it will take in all similar cases.

Mr. SCHAFER. Oh, no; I know the gentleman has followed this calendar and knows the situation in that respect.

Mr. BLANTON. Unless the gentleman is going to answer my questions in the proper kind of way I shall object. I am trying to get some information.

Mr. SCHAFER. Naturally, this case can not be taken care of under the existing general law. If it could, there would not be any necessity for having it appear on the private calendar just like these other bills.

Mr. BLANTON. Will the gentleman answer my questions as I ask them?

Mr. SCHAFER. Yes.

Mr. BLANTON. This is extending the law and making it retroactive, is it not?

Mr. SCHAFER. In this particular case; yes.

Mr. BLANTON. And if we do that for this case, to be consistent, as the gentleman from Wisconsin always is, we must give the same right to every widow of every officer who died prior to that act.

Mr. SCHAFER. That has been done in similar cases.

Mr. BLANTON. But it ought to come through the Foreign Affairs Committee, where these matters belong, and until that is done, Mr. Speaker, I regret very much to have to object to my friend's bill, but I object.

Mr. SCHAFER. I shall have to object to some that the gentleman is interested in on the same grounds.

Mr. LINTHICUM. Mr. Speaker, I desire to say also that any similar claim coming before the House on this calendar I shall object to unless it comes from the Committee on Foreign Affairs.

Mr. SCHAFER. Then I respectfully suggest that the gentleman has been derelict in his duty, because he will find that the Claims Committee has reported identical bills for some of the gentleman's Democratic colleagues in the other body and the gentleman did not raise any objection. We have four or five such bills now pending in the Claims Committee, including the bill of Senator WAGNER, and if the gentleman wants the bill brought before his committee, although I have considered the bill as a subcommittee of the Committee on Claims and have told Senator WAGNER that it would be favorably reported on Friday, I suggest that the gentleman have all such bills referred to his committee, providing he finds that said committee has authority to appropriate.

The SPEAKER pro tempore. The Chair may state that the Foreign Affairs Committee would not have jurisdiction of this bill as it involves the payment of money.

Mr. LINTHICUM. The Foreign Affairs Committee would have jurisdiction to authorize the payment of money.

The SPEAKER pro tempore. This bill involves an appropriation.

The Clerk will call the next bill on the calendar.

JOHN L. HOFFMAN

The Clerk called the next bill, H. R. 1205, for the relief of John L. Hoffman.

Mr. EATON of Colorado. Mr. Speaker, I object.

Mr. MEAD. Will the gentleman withhold his objection a moment?

Mr. EATON of Colorado. I reserve the objection for a moment.

Mr. MEAD. May I ask the gentleman just what his particular objection is to the bill?

Mr. EATON of Colorado. The report indicates that this is an effort to put a National Guard claim on the United

States Government; and, apparently from the report, if there is a valid claim, it should be paid by whoever is responsible for the National Guard, which would be the State.

Mr. MEAD. I will say to the gentleman that the National Guard was federalized at that time and under the jurisdiction of the War Department. The claimant took his case up with the State authorities at Albany, and they referred him to Washington to the War Department. The National Guard was federalized and assigned the duty of protecting the railroads. The railroads were under control of the Federal Government.

Mr. EATON of Colorado. While this may be the old Army game—

Mr. MEAD. Oh, no; not at all. It is a just claim.

Mr. EATON of Colorado. However, the report does not make a showing that the National Guard was under the authority of the War Department and that they were responsible; in fact, the War Department denies the claim.

Mr. MEAD. The War Department does not deny the justice of the claim. The War Department states that the injuries were not as severe as indicated by the claimant. However, this is purely a matter for the Federal Government, because the National Guard was federalized and therefore the State properly disclaims all jurisdiction in the matter. The only recourse this claimant has, who was severely injured by an intoxicated guardsman, who beat him up with the end of his gun, crippling him practically for life, was to come to the Federal Government. He took up his claim with the local military authorities, as well as at the State capital, and in every available place, and was in each case referred to the Federal Government. The Claims Committee agrees that this is the record.

This is a case where a railroad man with a proper pass was going to his work and trying to cross a bridge to reach his train, and a soldier who was drunk, and afterwards convicted and sentenced, assaulted him with the butt end of his rifle and knocked him senseless. He was taken to the hospital and after a day or so, while still in a dazed condition, he left and went to his home. He was laid up for five weeks as a result of this injury. He now has a hole in his head which, so far as the bone is concerned, has not healed over. He has an impaired vision and is subject to dizzy spells.

May I say to the gentleman further that when the claim was filed here it was referred to the gentleman from Mississippi [Mr. DOXEY] as a subcommittee of the Claims Committee, and a claim was requested by Mr. Dempsey, a former Member, and myself, for \$5,000. This was reviewed and reduced to \$2,000, and the bill was thereafter reported favorably.

Mr. BLANTON. Will the gentleman yield right there for me to ask a question?

Mr. MEAD. Certainly.

Mr. BLANTON. With regard to the hole in the claimant's head, the report of the War Department says:

Nothing appears in the files of this department to indicate his injuries were either serious or permanent, nor that he lost any time from his work other than on the night of June 16, 1917. There is no legal liability on the part of the Government, and the question of relief by the United States is one of grace only.

Mr. MEAD. In the report furnished the committee is the statement by the superintendent of the Lehigh Valley Railroad showing that the man was off on sick leave from June 16 to July 23. That report, together with the report of the doctor, was considered authentic by the committee. The department is in error, as represented by everybody that has had anything to do with the case.

Mr. BLANTON. The gentleman from New York is a valuable man in the House, and he watches legislation very closely. Is the gentleman prepared to say that we should disregard the report of the War Department, throw it to the winds, and take the report of the injured man against that of the department?

Mr. MEAD. We have the report of the injured man, of the superintendent of the railroad, the doctor, and a number of others explaining the nature and extent of the in-

juries. I have affidavits of an officer of the National Guard and others proving the case of the claimant.

The SPEAKER pro tempore. Is there objection?

Mr. EATON of Colorado. I object.

FRANK KANELAKOS

The Clerk read the next bill on the Private Calendar, H. R. 1279, for the relief of Frank Kanelakos.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to issue to Frank Kanelakos, of Newport News, Va., one permanent United States coupon bond in the denomination of \$100 of the fourth Liberty loan 4½ per cent bonds of 1933-1938, with coupon due April 15, 1921, and coupons to maturity attached thereto, in lieu of temporary coupon bond No. 220087 of the same loan in the denomination of \$100 with no coupons attached or presented, the upper portion of which bond has been presented to the Treasury Department: *Provided*, That the lower portion of the said bond shall not have been previously presented or ascertained to be in existence, and that no payment shall be made hereunder for any coupons which may have been attached to the temporary bond: *Provided further*, That the said Frank Kanelakos shall first file in the Treasury Department a bond in the penal sum of double the amount of the bond and the interest which would accrue until the principal becomes due and payable, in such form and with such sureties as may be acceptable to the Secretary of the Treasury, to indemnify and save harmless the United States from any loss on account of the mutilated bond hereinbefore described.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

GREAT WESTERN COAL MINES CO.

The Clerk read the next bill on the Private Calendar, H. R. 2065, for the relief of the Great Western Coal Mines Co.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Mr. Speaker, this bill involves \$15,000.

Mr. COLTON. Will the gentleman withhold his objection?

Mr. BLANTON. Yes.

Mr. COLTON. This is for the repayment of money which this company paid to the Government. It was denied by the comptroller purely on a technicality of law. The Comptroller General says that the law would have permitted him to repay had the proof been rejected, but he relinquished the claim, and the law does not provide for repayment in case of relinquishment. The Government has the land and the money both. The company has been out the use of the money for several years. This claim is a very just one. The payment of this just claim may save the company whether it can continue or not. There was a charge of fraud raised, but the department has found that there was no fraud.

Mr. BLANTON. Here is what the comptroller says:

The repayment of purchase moneys paid for lands as authorized by the act of December 11, 1919, being conditioned upon the "rejection" of applications, entries, or proofs, and the failure of the entrymen in this matter to take or retain title to the lands, not having been due to a rejection by the Government within the meaning of said act but to a relinquishment of the entry which under the circumstances, no fraud having been established, must be considered voluntary. When the Congress has by law stipulated the condition under which a payment may be made, refund or otherwise, such condition must be shown to have been met to justify payment. As the fact of rejection by the United States, the condition stipulated by law as the basis for refundment, has not been and, apparently, can not be established, the only course open to this office is disallowance of the claim. It is, therefore, disallowed.

It was not a denial of right by the Government, but it was the man's relinquishing the right of the coal company.

Mr. COLTON. That is a technicality of law. Had he gone on and allowed the commissioner to reject the proof, then his money would have been refunded to him. But rather than do that he relinquished to the Government his claim, and the Government has both the land and the money. The gentleman will find that statement in the letter of the commissioner in 1930. The members of this company are among the finest citizens of my State. This is a just measure in every particular.

Mr. STAFFORD. I call the attention of the gentleman from Texas to the following from the report of the department:

By decision dated October 11, 1927, the department held that the testimony in the case, as a whole, convincingly showed that the burden of proof had been sustained by appellants; that no fraud or attempted fraud having been shown, as a matter of justice and equity, repayment should be allowed.

After examining that, I was in accord with the position stated by the gentleman from Utah [Mr. COLTON] that the Government has both the land and the money.

Mr. COLTON. It was purely a technicality of law that it was denied upon.

Mr. BLANTON. Lots of men have taken up public land in States, say, like Texas, and then have relinquished their rights to others.

Mr. COLTON. But this was not that case. The Government has the land now and has the money that this man paid.

Mr. BLANTON. But he had the use of it.

Mr. COLTON. No; he did not use it at all; that is, the company got no benefit for which it did not pay.

Mr. BLANTON. And the probable value of that use.

Mr. COLTON. Not at all. He never got a dollar's worth of benefit from it at all. There could not be a more just claim than this.

Mr. BLANTON. Mr. Speaker, if the gentleman from Wisconsin is going to let this go by, I shall not object.

Mr. STAFFORD. I went over it very carefully and have no question about the merits of it at all.

Mr. COLTON. It is absolutely a just claim.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay to the Great Western Coal Mines Co., out of any money in the Treasury not otherwise appropriated, the sum of \$16,600 in full satisfaction of its claim for refund of purchase money paid by Richard L. Bird in connection with coal land entry No. 025342, title to the lands covered thereby having been relinquished to the United States by the Great Western Coal Mines Co. as assignee of such Richard L. Bird.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

NELSON E. FRISSELL

The next business on the Private Calendar was the bill (H. R. 2161) for the relief of Nelson E. Frissell.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I reserve the right to object. I am reminded privately that this bill passed the House in its present form in the last Congress. In going over the report carefully I thought the claimant rather padded his claim. I could not find any proof whatsoever for the claim of loss of certain material and for freight and cartage, amounting to \$1,724.28. He has a detailed statement of expenses, but some of them are rather questionable. For instance, he puts in the value of his services at the rate of \$35 per day. I think it would be fair if we were to put in the amount at \$4,000, which would be a liberal allowance for this man.

I am not taking the position that this claimant is not entitled to some relief, but I think he is asking too much for the little work he did while he was negotiating for a building for a post-office station which the Government canceled.

Mr. FOSS. This contract was as follows: It was for the term of 20 years with the privilege of renewal for such additional time as the Government might desire, and the building to be erected at an annual rental of \$6,350 for the first five years, \$5,750 for the second five years, \$5,150 for the third five years, and \$4,550 for the fourth five years, and 4 per cent per annum thereafter, with an option of buying at the end of the period for \$20,000.

Mr. STAFFORD. There is no question about what the contract was. The question is, what damages did he suffer in that short period of a few months, when the department notified him that there would not be any further need of

this projected postal station, because this publishing house had changed its headquarters.

Mr. FOSS. Let me call attention to the fact that he had bought his steel for the steel frame of the building, that it was fabricated, that he had ordered his lumber, and that he had leased the land from the Maine Central Railroad, which, of course, was for the nominal sum of \$1 a year, but as I understand it, he holds that lease to-day and is holding it until it is settled. The Postmaster General advises that he thinks that if the man went to court with the case he would be awarded more.

Mr. STAFFORD. The gentleman states that he purchased the fabricated steel and lumber?

Mr. FOSS. Yes.

Mr. STAFFORD. There is nothing in the report to show that. Does the gentleman know that of his own knowledge?

Mr. FOSS. Yes; I have it in a letter which I have here.

Mr. STAFFORD. I have read the report of the Postmaster General, found in three finely printed pages, and did not find any such statement. If he purchased fabricated material and lumber, of course that is an item of expense that ought to be included.

Mr. FOSS. Then there are five years of interest on the money that he has had tied up.

Mr. STAFFORD. I do not wish to be too critical in these matters. If that is the fact, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection?

Mr. MOUSER. Mr. Speaker, I reserve the right to object. Will the gentleman accept an amendment as to the amount?

Mr. FOSS. What does the gentleman suggest?

Mr. MOUSER. Four thousand dollars.

Mr. FOSS. That is not enough. I would be willing to compromise if there was any reason for it, but here is a case where this man spent this money in 1925 or 1926. There are five or six years of interest.

Mr. MOUSER. He is not getting that amount.

Mr. FOSS. I know, but the court would take that into consideration if it went to court.

Mr. MOUSER. If the gentleman is not willing to accept an amendment, I fear I shall have to object.

Mr. FOSS. I think it ought to be at least \$5,000.

Mr. MOUSER. Will the gentleman accept an amendment of \$5,000?

Mr. FOSS. Yes.

Mr. MOUSER. I withdraw the objection subject to that amendment.

Mr. ARENTZ. Mr. Speaker, there is one other amendment I will like to add. Will the gentleman agree to another amendment correcting the text, not the amount.

Mr. FOSS. Yes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Nelson E. Frissell, of East Templeton, Mass., the sum of \$7,219.52. Such sum represents the money expended, the value of services performed, and the damages sustained by Nelson E. Frissell in connection with a contract with the Post Office Department for the construction and lease of a post-office building at Augusta, Me., which contract was canceled by the Post Office Department: *Provided,* That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. MOUSER. Mr. Speaker, I offer an amendment, which I have sent to the desk.

The Clerk read as follows:

Amendment by Mr. MOUSER: Page 1, line 6, strike out the figures "\$7,219.52" and insert in lieu thereof "\$5,000, in full settlement of all claims against the Government of the United States."

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

CHARLES BERETTA, ISIDORE J. PROULX, AND JOHN J. WEST

The Clerk called the next bill on the Private Calendar, H. R. 3540, for the relief of Charles Beretta, Isidore J. Proulx, and John J. West.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is authorized and directed to cancel the claim of the United States against Charles Beretta as temporary substitute parcel-post carrier, Willows, Calif., at 60 cents per hour for a period from November 13, 1922, to December 31, 1924, and at 65 cents per hour from January 1, 1925, to March 31, 1926, in the sum of \$723.55, representing payments to him as such employee for a period from November 13, 1922, to March 31, 1926, he having also held the position of temporary laborer, custodian service, Federal Building, Willows, Calif., for a period from November 13, 1922, to March 15, 1923, at \$660 per annum (with \$240 increase), the position of permanent laborer in said service at said place for period from March 16, 1923, to June 30, 1924, at \$660 per annum (with \$240 increase), and the position of permanent laborer in said service at said place for period from July 1, 1924, to March 31, 1926, at \$960 per annum, and the combined amount of the per annum rates of compensation of such positions being in excess of \$2,000 per annum, contrary to the provisions of section 6 of the act of May 10, 1916 (39 Stat. L., p. 120), as amended by the act of August 29, 1916 (39 Stat. L., p. 582).

Sec. 2. That the Comptroller General of the United States is further authorized and directed to release Isidore J. Proulx, former postmaster at Willows, Calif., from liability to the United States for payments to said Charles Beretta for the period from November 13, 1922, to September 8, 1924, amounting to \$349.20; and to release John J. West, present postmaster at Willows, Calif., from liability to the United States for payments to said Charles Beretta for the period from September 9, 1924, to March 31, 1926, amounting to \$374.35; and to repay said John J. West said amount of \$374.35 refunded by him to the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

SAME GIACALONE AND SAME INGRANDE

The Clerk called the next bill on the Private Calendar, H. R. 3604, for the relief of Same Giacalone and Same Ingrande.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Same Giacalone and Same Ingrande, of San Diego, Calif., in full settlement against the Government, the sum of \$459.55, the actual cost of repairing the damage caused to the vessel *Cornell*, owned by said Same Giacalone and Same Ingrande, by the United States Coast Guard boat *Imp*, together with the sum of \$240 for loss of the use of said boat *Cornell* while same was being repaired.

Mr. MOUSER. Mr. Speaker, I offer a perfecting amendment.

The Clerk read as follows:

Amendment by Mr. MOUSER: Page 1, in line 6, after the word "settlement," insert the words "of all claims and demands."

The amendment was agreed to.

Mr. MOUSER. Mr. Speaker, I offer the usual attorney's fee amendment at the end of the bill.

The Clerk read as follows:

Amendment by Mr. MOUSER: At the end of the bill insert the following:

Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the pro-

visions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

GENEVIEVE M. HEBERLE

The Clerk called the next bill on the Private Calendar, H. R. 4230, for the relief of Genevieve M. Heberle.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, with the amendment that it shall be in full settlement, I shall not object, but that amendment should be added.

Mr. MOUSER. I was about to make the same suggestion, Mr. Speaker.

Mr. BLANTON. After the figures "\$2,000," insert the words "in full settlement."

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Genevieve M. Heberle the sum of \$10,000 for personal injuries sustained when she was struck and seriously injured by an automobile truck of the United States Postal Service in the city of St. Paul, Minn., on July 3, 1923.

With the following committee amendment:

Page 1, line 6, strike out "\$10,000" and insert in lieu thereof "\$2,000."

Mr. BLANTON. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. BLANTON: Page 1, line 6, after the figures "\$2,000," insert the words "in full settlement."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The Clerk read the next committee amendment, as follows:

Page 1, line 9, after the figures "1923," insert "Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

LIEUT. COL. H. H. KIPP, UNITED STATES MARINE CORPS, RETIRED

The Clerk called the next bill on the Private Calendar, H. R. 4264, for the relief of Lieut. Col. H. H. Kipp, United States Marine Corps, retired.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lieut. Col. H. H. Kipp, United States Marine Corps, retired, the sum of \$243.19. Such sum represents the amount deducted from the pay of Lieutenant Colonel Kipp for expenses incurred by the United States in transporting his wife and daughter from Mare Island, Calif., to Boston, Mass., less the cost of transportation of such dependents from the District of Columbia to Boston, Mass.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

W. R. McLEOD

The Clerk called the next bill, H. R. 4310, for the relief of W. R. McLeod.

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Mr. BLANTON. Mr. Speaker, with regard to this bill I want to call attention to what Hon. Walter F. Brown, the Postmaster General, has said:

The money was not protected in the manner prescribed by section 110, Postal Laws and Regulations, reading as follows:

"Postmasters must exercise all possible care for the protection of the public funds and property in their custody.

"When funds or postage stamps are left at night in offices unprovided with iron safes, they shall be kept in strong drawers or other fixed receptacles, which shall be securely fastened with good locks. The doors and windows of the office shall be made as secure as possible. The same precautions shall be taken when the post office is closed temporarily during the day."

Inasmuch as section 121 of the regulations requires postmasters at offices of the third class to remit all surplus postal funds whenever the amount equals or exceeds \$100, a considerable portion of the postal funds reported lost in the burglary were overdue for remittance, which constitutes a further bar to allowance of credit.

It appearing that the loss resulted from negligence within the meaning of the law hereinbefore cited, I am unable to recommend favorable action on the proposed legislation, and the facts are submitted for the use of your committee and for such action as Congress may desire to take.

With such a report, Mr. Speaker, I am constrained to object.

Mr. GREEN. Will the gentleman withhold his objections?

Mr. BACHMANN. If the gentleman does not object, I shall object. I objected to this bill at the last session.

Mr. BLANTON. I do not shirk responsibility, and never have. When I feel it my duty to object, I object; and I shall not throw that burden upon the gentleman from West Virginia.

Mr. GREEN. Will the gentleman reserve his objection for a minute?

Mr. BLANTON. If the House is willing, I am.

Mr. GREEN. The report of the committee clearly shows the postmaster locked the door of the little post office. It clearly shows he took as much precaution as was in his power to take. It further shows the money was stolen and the department does not blame him or hold him responsible.

Mr. MOUSER. Will the gentleman yield?

Mr. GREEN. Certainly.

Mr. MOUSER. Two gentlemen have indicated they are going to object. Why take up the time of the House in view of that situation?

Mr. GREEN. I was just trying to explain to the House that this is only in line with a number of other bills that have been passed. It is customary to make reimbursement in such cases.

I hope the gentleman will not object, and that the bill will be passed.

Mr. BLANTON. I want to say to my friend from Florida that the postmasters must take care of the people's funds and they must obey the law.

Mr. MOUSER. Mr. Speaker, I demand the regular order.

Mr. BLANTON. Mr. Speaker, I object.

JOHN L. FRIEL

The Clerk called the next bill, H. R. 4925, for the relief of John L. Friel.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to John L. Friel, out of any money in the Treasury not otherwise appropriated, the sum of \$4,750 on account of damages sustained to his property through lack of protection to his property when Lock No. 4, Allegheny River, was constructed.

Mr. STAFFORD. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment by Mr. STAFFORD: Page 1, line 6, after the figures, strike out "on account of" and insert in lieu thereof the words "in full payment of all."

The amendment was agreed to.

Mr. STAFFORD. Mr. Speaker, I offer the customary attorney's fees amendment.

The Clerk read as follows:

Amendment by Mr. STAFFORD: At the end of the paragraph insert the following:

"Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or

received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider laid on the table.

MARY F. CRIM

The Clerk called the next bill, H. R. 5058, for the relief of Mary F. Crim.

Mr. BLANTON. Mr. Speaker, reserving the right to object, if the gentleman will agree to accept an amendment reducing the amount from \$10,000 to \$2,500, as suggested by the committee, I shall not object.

Mr. WRIGHT. Mr. Speaker, I accept the amendment.

Mr. STAFFORD. Mr. Speaker, I have difficulty in bringing myself around to the feeling that the National Government has any obligation whatsoever to pay any money under the facts disclosed in the report in this case.

Mr. WRIGHT. Mr. Speaker, the facts are the deceased was subpoenaed by the United States Government as a witness for the Government in a Federal case at the Federal court in Columbus, Ga. He testified as a witness. After his testimony was concluded he went to the toilet in the court building, laid his revolver on the lavatory, and was sitting on the stool. Two court officials, one a court crier and one a bailiff, came in and knocked his pistol off of the lavatory onto the concrete floor. A cartridge exploded and the bullet struck the man. He died within a very short time. He would not have died or would not have been subject to the injury if he had not been called as a witness for the Government.

Mr. BACHMANN. Will the gentleman yield?

Mr. WRIGHT. I yield.

Mr. BACHMANN. According to the statement the gentleman has made, there is not a witness mentioned in the report who was an eyewitness of what happened. All you have is the report of a clerk who was not there. However, I do not mean to doubt the truth of the statement of the gentleman.

Mr. WRIGHT. The truth is the two witnesses are both dead, but this occurred right there in the court room. We have a witness whose testimony is in the record, who heard the report of the pistol and found this situation and heard the statement of the deceased.

Mr. BLANTON. He was an officer and had a right to carry a pistol.

Mr. WRIGHT. That is correct.

Mr. STAFFORD. It was merely an accident. I could not subscribe to the policy of paying out something for such an accident.

Mr. WRIGHT. Most anything might be called an accident. In private affairs, if a private individual opens a building and invites the public into it and does not keep it perfectly safe, he is responsible.

Mr. STAFFORD. The gentleman states the decedent was an officer of the State of Georgia?

Mr. WRIGHT. Yes.

Mr. STAFFORD. Why would he not be entitled to State compensation?

Mr. WRIGHT. There is nothing like that in the State.

The State was not responsible for his being there. The Government of the United States subpoenaed him.

Mr. STAFFORD. If an officer in the performance of his duty suffers an injury, the State is obligated to pay for any accident resulting in the course of his employment.

Mr. WRIGHT. It was not a State court.

Mr. STAFFORD. I do not like to barter as to the amount to be carried in the bill. I just can not see any obligation, but if the gentleman will accept \$2,000 I think that will be a very fair amount.

Mr. WRIGHT. I will accept that.

The SPEAKER pro tempore. Is there objection?

Mr. MOUSER. Mr. Speaker, I object, if this is the case I have in mind, where this man was accidentally hurt by a pistol he laid on the lavatory. In that case it was clearly an accident and it was no fault on the part of the Government.

Mr. WRIGHT. But the pistol was knocked off by court officials.

Mr. MOUSER. But they are not in the position of being agents of the Government.

Mr. WRIGHT. They were there representing the Government and they were officers of the court.

Mr. MOUSER. It was purely an accident. Of course, the man who was injured was negligent in putting the pistol on the lavatory.

Mr. BLANTON. He had to put it somewhere.

Mr. WRIGHT. He could not keep it in his hip pocket while he was sitting on the stool.

Mr. BLANTON. If he had not been summoned to attend court, he would have been at home and would have been safe.

Mr. MOUSER. The fact that he was subpoenaed to attend the court does not have anything to do with the fact that he was injured in the toilet.

Mr. WRIGHT. It was an incident of the whole transaction.

Mr. MOUSER. Mr. Speaker, I object.

LAURA GOLDWATER

The Clerk called the next bill, H. R. 5149, for the relief of Laura Goldwater.

Mr. MOUSER. Mr. Speaker, I object.

Mr. BLOOM. Will the gentleman withhold his objection?

Mr. MOUSER. I will withhold it; yes.

Mr. BLOOM. This is a very meritorious case. This truck was traveling on a 1-way street. There is no testimony of any of the witnesses under oath that this woman was at fault. This woman spent \$7,020 of her own money for hospital and doctors' bills. This bill has been favorably recommended by the committee in two different Congresses. If the gentleman desires to ask me any questions I will be glad to show him that this is a meritorious case.

Mr. MOUSER. I presume the gentleman will agree with the facts as shown in the report, that at about the time this truck was approaching the intersection this woman stepped out toward the street car tracks and the driver, exercising his sense of sight, saw her and swerved to the left to avoid striking her, but she deliberately went forward instead of backward, and stepped against the side of the truck. I sympathize with the lady who was injured and the fact she had to spend this large sum of money, but I can not see any responsibility on the part of the Government. The driver of the truck was entirely faultless.

Mr. BLOOM. Let me explain to the gentleman that this truck was coming down the wrong way on a one-way street. In other words, it was a westbound street and he was going east, which he had no right to do.

Mr. BACHMANN. There is nothing to that effect in the report.

Mr. BLOOM. I beg the gentleman's pardon. The report shows that in the lady's statement.

Mr. BACHMANN. I think the report shows that the driver of the truck was not negligent. If the report shows that the driver was going in the wrong direction on a 1-way street, that would be negligence.

Mr. MOUSER. I would concede that, but we certainly would have to have some corroborative evidence supporting the statement of the lady that it was a 1-way street.

Mr. BLOOM. It was a 1-way street. There is no contradiction of the fact that it was a 1-way street, only the driver said he did not come down that street but came around on Third Avenue. There is no statement on the part of anybody under oath outside of the statement made by Mrs. Goldwater and the doctors.

Mr. MOUSER. Why not permit this bill to be passed over in order that the gentleman may furnish some corroborative evidence?

Mr. BLOOM. I have given up the night for this and have spent several nights waiting for this bill to be called.

Mr. MOUSER. I have the very highest respect for the gentleman and I know he is sincere in presenting this bill; but we can not raid the Treasury on the mere ground of sympathy.

If the gentleman wants us to give her a present of this small amount, and no objection is made—

Mr. BLOOM. No; I would not come before the House and ask for any present.

Mr. MOUSER. No; I do not believe the gentleman wants that.

Mr. BLOOM. If the gentleman will examine the report, he will find there is no statement under oath about what the driver has said in the matter. There is a statement from the inspector, but that statement is not under oath. The only statements under oath are the statement from the doctor and the statement from Mrs. Goldwater. There were no witnesses to the accident.

Mr. MOUSER. No; but it is to be presumed the inspector got a statement from the driver.

Mr. BLOOM. Then why did they not submit a statement from the driver made under oath? The statement of Mrs. Goldwater is under oath, and, if there is no contradictory statement, her statement should stand unchallenged.

The situation was just the same as if the gentlemen were standing on a corner and, naturally, would not expect the driver to drive down a 1-way street. The gentleman would have every right to believe that no driver would be coming in that direction.

Mr. MOUSER. As I understand from members of the Claims Committee, the committee does not include in its report, on account of the space and the expense involved, all the evidence, and therefore we must base our opinion upon the report of the committee.

Mr. BLOOM. The chairman of the Claims Committee in the Seventy-first Congress and the chairman of the Claims Committee in the Seventy-second Congress reported this bill favorably, and there is nothing in the report contradictory of the statements made by Mrs. Goldwater. If the gentleman could show me a thing in the report that contradicts any of her statements, I would not press the bill for consideration.

Mr. BACHMANN. Will the gentleman yield?

Mr. BLOOM. I shall be pleased to yield.

Mr. BACHMANN. Did this accident happen on a 1-way street?

Mr. BLOOM. No; as I have stated, it happened about 5 or 10 feet off of the street. This woman was standing by the Third Avenue elevated and the truck was coming down the street, and she started to go across the street, not thinking the truck would be coming down a 1-way street, and the truck hit her.

Mr. MOUSER. If the gentleman from New York will agree to an amendment making the amount \$2,500, I shall not object.

Mr. BLOOM. I presume I shall have to agree to that.

Mr. MOUSER. I make this suggestion in view of the statement of the gentleman, who apparently is acquainted with the facts, although his statement is somewhat at variance with the record.

Mr. BLOOM. I am acquainted with the facts only according to the record in the case. I was not at the accident, of course.

Mr. MOUSER. Does the gentleman know this woman?

Mr. BLOOM. No; but she is a constituent of mine.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Laura Goldwater the sum of \$20,000 for damages suffered by her by reason of being struck and seriously injured by a Government mail truck.

With the following committee amendment:

Page 1, line 6, strike out "\$20,000" and insert "\$5,000."

Mr. MOUSER. Mr. Speaker, I offer an amendment. In line 6, strike out "\$5,000" and insert "\$2,500" and the following: "in full settlement of all claims against the Government of the United States."

The Clerk read as follows:

Amendment offered by Mr. MOUSER: Page 1, line 6, amendment to the committee amendment: Strike out "\$5,000" and insert in lieu thereof "\$2,500, in full settlement of all claims against the Government of the United States."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

Mr. MOUSER. Mr. Speaker, I offer another amendment. In line 6, after the word "her," insert the date of the accident, "on March 18, 1929."

The Clerk read as follows:

Amendment offered by Mr. MOUSER: Page 1, line 6, after the word "her," insert the words "on March 18, 1929."

The amendment was agreed to.

Mr. MOUSER. Also in line 8, after the word "truck," insert the words "in the city of New York."

The Clerk read as follows:

Amendment offered by Mr. MOUSER: Page 1, line 8, after the word "truck," insert the words "in the city of New York."

The amendment was agreed to.

Also the committee amendment:

Page 1, line 8, insert:

Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof, on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN W. ADAIR

The Clerk called the next bill, H. R. 5187, for the relief of John W. Adair.

Mr. STAFFORD. Mr. Speaker, I object.

THOMAS J. BERRY

The Clerk read the next bill on the Private Calendar, H. R. 5362, for the relief of Maj. Thomas J. Berry.

THE SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I object.

Mr. SCHAFER. Will the gentleman reserve his objection?

Mr. STAFFORD. I will.

Mr. SCHAFER. I was chairman of the subcommittee, and I attempted to state all of the facts as far as I could in the report. The beneficiary was a major during the war. A serious epidemic broke out in camp, and in order to protect the other soldiers the major ordered Private Sprouse taken to an isolation hospital.

Later some attorneys contacted the parents of this man, and they commenced a series of lawsuits throughout the country. The major was persecuted and harassed, and was required to pay expenses for legal services trying to protect himself from these many lawsuits. We found that the major was rendering service not only to the soldiers but also to Private Sprouse himself, and in no way was he negligent, but he was acting in the performance of his duty.

The bill covers the actual losses to the major by reason of the lawsuits. I studied the number of cases for legal work, and I found that the man's expenditure for legal services was very low indeed.

Mr. STAFFORD. Will the gentleman yield? My position was prompted by the attitude taken by the full Committee

on Military Affairs against allowing any claimant expenses that he might incur in attorney's fees in defending claims. In this case the Secretary of War says that this officer could have obtained without expense law officers of the Government to conduct the defense. It is on that theory that I marked the bill for objection.

Mr. SCHAFFER. This officer was a medical man, and not a lawyer, and did not have knowledge of the intricate provisions of law. I doubt if at that time he could have obtained the services of attorneys for the Government all over the country, and if he did, I think the traveling expenses alone would have been many times the amount of this bill.

Mr. STAFFORD. Mr. Speaker, perhaps I would not be doing violence to the policy established by the Committee on Military Affairs if I permitted this bill to pass. I withdraw the objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$543.42 to Maj. Thomas J. Berry, commanding Companies C and D, Third Ohio Infantry, to reimburse him for expenses incurred in defending himself in suits instituted by relatives of Pvt. Seymour M. Sprouse, of Company C, Third Ohio Infantry.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

MARY F. CRIM

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to return to Calendar No. 241, H. R. 5058, for the relief of Mary F. Crim.

Mr. SCHAFFER. Reserving the right to object, I understand the gentleman realizes there is an error in the printed bill. The bill calls for \$10,000, and the committee recommended \$2,500.

Mr. BACHMANN. Mr. Speaker, I object for the time being.

ARTHUR N. ASHMORE

The Clerk read the next bill on the Private Calendar, H. R. 7469, for the relief of Arthur N. Ashmore.

The SPEAKER pro tempore. Is there objection?

Mr. EATON of Colorado. I object.

Mr. JOHNSON of Texas. Will the gentleman withhold that objection?

Mr. EATON of Colorado. I will.

Mr. JOHNSON of Texas. This identical bill has passed the House three times. I suppose the gentleman objects on the ground that the Secretary of War in the report indicates that the injured party was not in the employ of the Government?

Mr. EATON of Colorado. Yes.

Mr. JOHNSON of Texas. Mr. Speaker, I call attention to an error contained in that report as to the facts in the case, and also as to the law governing the particular facts in the case. In the report of the Secretary of War he says:

In this connection attention is invited to the fact that the wording of the bill, in line 10, citing Battery B, One hundred and thirtieth Field Artillery, as belonging to the "National Guard of the United States," is misleading, the correct designation being "Texas National Guard."

I submit to the gentleman the discharge prepared in this case, which shows that the bill was drafted in accordance with the language prescribed by the War Department, "National Guard of the United States," and it was not the Texas National Guard.

Mr. EATON of Colorado. Yes; and we always do in court, in a case like this, we look at the exhibit, read the next line, and find it reads, "and of the State of Texas."

Mr. JOHNSON of Texas. The report says it should say the Texas National Guard, which is not correct. It is the National Guard of the United States. This young man was detailed to the care of property that was en route to the National Guard encampment. In the discharge of that duty, in going from one car to another he fell from the train and lost his arm, which was cut off so high up to the armpit

that even an artificial arm can not be used. I have a brief here in respect to the law which I would like to discuss with the gentleman if I had the time. Under the law creating the National Guard it is required that the National Guard unit attend these encampments. The pay which this man was receiving as a caretaker being detailed to guard this property was paid by the Federal Government.

The property he was guarding at the time he lost his arm belonged to the Government of the United States. The oath that he took when he became a member of the National Guard is prescribed by the statute of the United States. The discharge that he received after he received the injury is upon a form prescribed by the statutes of the United States. He was guarding property belonging to the United States; he was paid by the United States; in the employ of the United States at the time he received his injury; and he was en route to an encampment which the law required him to attend as a member of the National Guard. It occurs to me that under the rule governing cases of this kind the doctrine of master and servant would obtain. In addition to that, the young man is now in a hospital with tuberculosis and is in a very low state of health, probably will never get well. The Government recognized that he was in the employ of the Government at the time for they paid for some medical bills when he was injured.

Mr. EATON of Colorado. Everything the gentleman says is entirely consonant with the services of an enlisted man or officer in the National Guard; that is, in the great opportunity of being an attendant with the United States Army in connection with annual maneuvers. I find in this group of bills that apparently there is a movement on foot now to charge the United States Government with the results of accidents that occurred during that period. Heretofore most of the States have borne the cost of such accidents. Perhaps the State of Texas never has, and maybe it never will, but I can not see, after examining a few cases and my recollection of other cases in days gone by, why there should be a charge made against the United States Government for this most unfortunate accident. It is a very distressing case; the man has lost an arm, but there is no liability or even a duty on the part of the United States Government to take care of him. The fact that he was taken care of was merely an incident to the immediate service, and then he might or might not be transported to his State, depending on circumstances of the case, but not on any question of liability.

Mr. PURNELL. What does the gentleman say in answer to the statement that he was working under orders.

Mr. JOHNSON of Texas. He was detailed as a caretaker.

Mr. PURNELL. And as such he was acting under authority from which he could not remove himself.

Mr. JOHNSON of Texas. That is true.

Mr. MOUSER. At the time these men are going to the national encampment they receive Federal pay and they are actually in the Federal service, so that it seems to me that he was a Federal soldier at that time, the same as a man in the Regular Army. I think there is that distinction.

Mr. EATON of Colorado. Mr. Speaker, I object.

Mr. PURNELL. I would like to pursue this case a little farther.

Mr. JOHNSON of Texas. He received his injury while protecting property belonging to the United States and was being paid for his services at that time by the United States.

Mr. PURNELL. Would it have been possible for this soldier to have forsaken his duty at any point along the line?

Mr. EATON of Colorado. It is never the province of any soldier at any time whether in the National Guard or the Federal service to forsake his duty, but when an accident occurs and a claim arises he must go to the responsible source, and whether it is the State from which his National Guard unit comes or the United States depends on the circumstances of the case.

The United States and the War Department have no liability and accept no responsibility in connection with certain cases, and according to the statement of the Secretary of War this is one of those cases. It is unfortunate that the

State will not take care of this man and is trying to pass off the liability to the United States.

Mr. PURNELL. It is the position of the gentleman that the States should take care of these cases rather than the Federal Government?

Mr. EATON of Colorado. Exactly.

The SPEAKER pro tempore. Is there objection?

Mr. EATON of Colorado. Mr. Speaker, I object.

JOSEPH A. MCCARTHY

The Clerk called the next bill on the Private Calendar, H. R. 925, for the relief of Joseph A. McCarthy.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, this is an accident which occurred prior to the passage of the compensation act of 1916.

Mr. RUDD. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. RUDD. The compensation act, as I understand it, was for the purpose of stopping laches. This man is not guilty of laches, because, as a matter of fact, while the injury was sustained in the fall of 1912, he was kept in the hospital until December, 1913; and two weeks thereafter, on January 2, 1914, he filed his claim and has been endeavoring ever since to get some relief. As a matter of fact, the bill was reported out in the Sixty-sixth Congress and not reached. It was reported in the Seventy-first Congress and not reached. The man's leg was broken. It is 1 inch shorter than the other leg. All he is asking is \$1,000 for permanent injury and \$650 for wages.

Mr. STAFFORD. The report shows that this seaman was in service shortly afterward. The Government has been generous in keeping him in employment at his regular pay. I feel constrained to object.

Mr. RUDD. The gentleman does not want to give him anything for his permanent injury?

Mr. STAFFORD. He has been in service continually.

Mr. RUDD. No. He is not in service now.

Mr. STAFFORD. He was returned to duty as seaman on the transport *Logan* and is now in service on the transport.

Mr. RUDD. That was in 1914.

Mr. STAFFORD. But he was able to do his work.

Mr. RUDD. For perhaps six months.

Mr. STAFFORD. And now the gentleman is asking the Government to pay \$1,650.

Mr. RUDD. We want \$1,000 for the permanent injury. One leg is 1 inch shorter than the other and the gentleman does not propose to give him anything for that? Even though he is able to work he is not as able as he was formerly.

Mr. STAFFORD. Why did he not receive the one year's compensation, as provided in the compensation act then in force?

Mr. RUDD. I do not know. He has been trying ever since 1914.

Mr. STAFFORD. The law permitted him to receive one year's salary.

Mr. RUDD. But he has never received it.

Mr. STAFFORD. Mr. Speaker, I will go over this matter further. For the time being I object.

JACOB D. HANSON

The Clerk called the next bill on the Private Calendar, H. R. 7449, for the relief of the heirs of Jacob D. Hanson.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the heirs of Jacob D. Hanson, the sum of \$5,000 for all damages suffered by reason of the said Jacob D. Hanson's being shot and fatally injured, without cause or justification, while traveling on a highway near Niagara Falls, N. Y., on the night of the 5th of May, 1928, by two members of the United States Coast Guard, the said members being then and there on duty as coast guardsmen and acting as such.

Mr. BLANTON. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment by Mr. BLANTON: In line 6, after the word "damages," insert the words "and in full settlement of all claims against the Government for injuries."

The amendment was agreed to.

Mr. BLANTON. I offer, at the end of the bill, the usual attorney's fee amendment.

The Clerk read as follows:

Amendment by Mr. BLANTON: At the end of the bill insert the following:

"Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

VALIDATING CERTAIN CONVEYANCES BY CENTRAL PACIFIC RAILWAY CO., ETC.

The Clerk called the next bill on the Private Calendar, H. R. 406, to validate a certain conveyance heretofore made by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., a corporation, to Pacific States Box & Basket Co., a corporation, involving certain portions of right of way in the vicinity of the town of Florin, county of Sacramento, State of California, acquired by the Central Pacific Railway Co. under the act of Congress approved July 1, 1862 (12 Stat. L. 489), as amended by the act of Congress approved July 2, 1864 (13 Stat. L. 356).

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. ARENTZ. Mr. Speaker, reserving the right to object, has the gentleman from California been near this village or city where this lot is located, and is it valuable property?

Mr. EVANS of California. I have been there several times, but I was not conscious of it.

Mr. ARENTZ. The gentleman does not think it is worth very much?

Mr. EVANS of California. The property in this little country place is not very valuable.

Mr. ARENTZ. I understand that all land in California is valuable.

Mr. EVANS of California. Well, especially in southern California, that is quite true.

Mr. ARENTZ. This is not in southern California.

Mr. EVANS of California. This is in northern California.

Mr. ARENTZ. Mr. Speaker, I withdraw my reservation of objection.

Mr. SCHAFER. Reserving the right to object, about what is the total value of this land?

Mr. EVANS of California. I am unable to state as to the total value of it. I will say, however, to the gentleman that this property has been in private ownership for 40 years. It is nine-tenths of an acre. I am not sure as to the value of it, but I know it has been in private ownership for 40 years, and this basket factory has been on this property for more than 30 years.

Mr. ARENTZ. I do not see how any objection can be found to this bill. Our Committee on Public Lands investigated it quite thoroughly. I do not believe the land is worth very much.

Mr. EVANS of California. The gentleman from Nevada and other Members of Congress validated 42 of this kind of conveyance at the last session of Congress.

Mr. SCHAFER. This basket company purchased the land, believing that the railroad company from whom the purchase was made had full title?

Mr. EVANS of California. Yes.

Mr. SCHAFER. And would be able to give title?

Mr. EVANS of California. Yes.

Mr. SCHAFER. And now they find there is a cloud on the title?

Mr. EVANS of California. By construction of the Supreme Court of the United States, the courts have held that the railroad company had not the technical right to convey fee simple title, and that the right of prescription could not apply, even though it has been 40 years.

Mr. SCHAFER. This bill will not result in a charge on the Treasury of the United States?

Mr. EVANS of California. Absolutely not; and the department approves it.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the conveyance in the form of a quitclaim deed executed by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., a corporation, as grantors, to the Pacific States Box & Basket Co., a corporation, as grantee, under date of October 20, 1930, and recorded in the office of the county recorder of Sacramento County, Calif., on the 3d day of November, 1930, in book No. 321, page , official records of said county, involving certain lands or interests therein in the vicinity of the town of Florin, county of Sacramento, State of California, and forming a part of the right of way of said Central Pacific Railway Co. granted by the Government of the United States of America by an act of Congress approved July 1, 1862, entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean and to secure to the Government the use of the same for postal, military, and other purposes" (12 Stat. L. 489), and by said act as amended by act of Congress approved July 2, 1864, entitled "An act to amend an act entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes,' approved July 1, 1862" (13 Stat. L. 356), is hereby legalized, validated, and confirmed with the same force and effect as if the land involved therein had been held at the time of such conveyance by the above-named grantors making the same under absolute fee-simple title: *Provided*, That such legalization, validation, and confirmation shall not diminish said right of way to a width less than 50 feet on either side of the center of the main track or tracks of said Central Pacific Railway Co. as now established: *Provided further*, That nothing herein contained is intended or shall be construed to legalize, validate, or confirm any rights, titles, or interests based upon or arising out of adverse possession, prescription, or abandonment, and not confirmed by conveyance heretofore made by Central Pacific Railway Co. and its lessee, Southern Pacific Co.: *And provided further*, That there shall be reserved to the United States all oil, coal, or other minerals in the land, and the right to prospect for, mine, and remove the same under such rules and regulations as the Secretary of the Interior may prescribe.

With the following committee amendment:

Page 2, line 6, after the word "page," insert the figures "380."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

EDNA M. GILSON

The Clerk called the next bill, H. R. 1226, for the relief of Edna M. Gilson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to credit the accounts of Edna M. Gilson, postmaster at Steubenville, Ohio, in the sum of \$1,389.80, due the United States on account of the loss of postal funds resulting from larceny and embezzlement.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider laid on the table.

MARY F. CRIM

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to return to Calendar No. 241, the bill (H. R. 5058) for the relief of Mary F. Crim.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

Mr. BACHMANN. Mr. Speaker, a parliamentary inquiry. If unanimous consent is granted, will we still have the right to reserve the right to object?

The SPEAKER pro tempore. Yes.

There was no objection.

Mr. BLANTON. It is understood that the amendment agreed to by the gentleman from Georgia is to be offered and accepted?

Mr. WRIGHT. Two thousand dollars; yes.

Mr. BLANTON. In full settlement?

Mr. BACHMANN. Mr. Speaker, reserving the right to object, there are two propositions involved in the bill to which attention should be paid. The first question that arises is whether or not there is any moral responsibility resting on the Government of the United States to reimburse a claimant for a purely accidental death. The second is that this is a case where a man lost his life. It is a serious matter, and such matters are usually investigated by police officials. In this case it happened in the Federal court building. There certainly must be some record at some place, either in the files of the city police department of this city or in the Federal court, from which it would appear who was responsible for the man's death. The report does not show anything of the kind. The report contains two newspaper articles, one of which says some person unknown who had been summoned in court as a witness knocked the gun off the lavatory and it exploded and killed the man.

Mr. WRIGHT. That is the newspaper report.

Mr. BACHMANN. That is the newspaper report quoted here in the form of an affidavit, saying that the newspaper report is a true report of the accident.

Mr. WRIGHT. A true report of what appeared in the newspaper.

Mr. BACHMANN. Yes; of what appeared in the paper with reference to the accident.

Mr. WRIGHT. That is all.

Mr. BACHMANN. The other affidavit is that of a deputy clerk of the Federal court. The accident happened in 1917, and the deputy court clerk makes an affidavit 10 years later, in 1927, in which he says he was not an eyewitness, but as he recalls the facts, this man Whatley walked in and knocked the gun off the lavatory when it exploded and killed the deceased.

If the gentleman from Georgia can supply any facts he may have personal knowledge of to supplement the report and will say to the House as a Member of the House that Whatley being the man who was in there and who was the court crier connected with the Federal court, knocked this gun off, I shall not object.

Mr. WRIGHT. A court record, of course, is kept of all these things, but the deputy clerk makes this affidavit, stating what report was made after the man was shot, that these two court officials, Whatley and Lawshe, went into the toilet and the pistol was knocked off by one or the other of them, he thinks Whatley.

There is an affidavit here by Mr. Clegg, who said:

After the said J. M. Crim had been carried to the said marshal's office, the court bailiff, apparently about 65 or 70 years of age, slim built, height about 5 feet 10 inches, and weight about 150 pounds, came into the marshal's office, apparently very much excited and nervous, and inquired as to how bad Mr. Crim was hurt. On being told of the serious nature of the wound, this man then stated that he regretted having caused the accident, and deplored the same.

Mr. BACHMANN. How far did Crim live from the town where Federal court was being held?

Mr. WRIGHT. About 40 miles.

Mr. BACHMANN. Is it likely he would not know the officials who were connected with the court, either the court crier or the bailiff?

Mr. WRIGHT. He might not know them under the circumstances. These officials came from Atlanta, Ga., which is the seat of the court, Columbus being simply a division of the court. They would go down to court and stay there during the session.

Mr. BACHMANN. In his own statement, made after he was shot, he said he did not know who the man was that came in there.

Mr. WRIGHT. He would not have known these people.

Mr. RAMSPECK. I will tell the gentleman from my own knowledge of the case that these men were from the office of the United States marshal in Atlanta.

The reason I happen to know about it is that in the first part of 1917, shortly after this happened, I became chief deputy in the United States marshal's office. I am familiar with the facts about it from talking with the marshal himself. I think the report is substantially correct. My recollection is the marshal told me those facts.

Mr. BACHMANN. Was there no police record kept of this man being killed there in the Federal building? Did not the police headquarters in this town have a record of it?

Mr. WRIGHT. No; there was no occasion for it.

Mr. RAMSPECK. I could not answer that question, because I was not present.

Mr. BACHMANN. Would they not investigate how the man met his death?

Mr. WRIGHT. They admit it. There is no question about it.

Mr. BACHMANN. Do you not have a coroner's inquest to determine the cause of death?

Mr. WRIGHT. Not when there are eyewitnesses to the occurrence. In Georgia, where they have eyewitnesses, they do not have a coroner's inquest.

Mr. SCHAFER. Will the gentleman yield?

Mr. WRIGHT. Certainly.

Mr. SCHAFER. I imagine that if it were a case of selling a pint of beer or a pint of whisky they would have a record going back 25 years.

Mr. MOUSER. Will the gentleman yield?

Mr. WRIGHT. Certainly.

Mr. MOUSER. I have asked the gentleman to yield in order to explain what might be an apparent inconsistency in my position. When this bill was first reported I objected. When it was first brought to my attention I discussed the facts with the gentleman from West Virginia. He had a doubt in his mind as to whether or not there was actual negligence on the part of an agent of the Government or a servant of the Government as distinguished from a pure accident. In view of the additional information given by the gentleman from Georgia I am convinced that I might have been in error and I therefore do not object at this time.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay to Mary F. Crim, of Manchester, Ga., widow of the late J. M. Crim, out of any money in the Treasury not otherwise appropriated, the sum of \$10,000. Such sum shall be in full settlement of all claims against the United States on account of the death of the said late J. M. Crim. While in attendance at the United States District Court for the northern district of Georgia, western division, on May 8, 1917, the said late J. M. Crim received a bullet wound which resulted in his death, on account of the discharge of a pistol, caused by an attendant or crier of such court: *Provided,* That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. BLANTON. Mr. Speaker, I offer an amendment. On page 1, in line 6, strike out "\$10,000" and insert in lieu thereof "\$2,000."

The SPEAKER pro tempore. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 1, line 6, strike out "\$10,000" and insert in lieu thereof "\$2,000."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

RELIEF OF THE LEGAL REPRESENTATIVES OF COBB, BLASDELL & CO.

The Clerk called the next bill, H. R. 2026, for the relief of the legal representatives of Cobb, Blasdell & Co.

Mr. SCHAFER. Mr. Speaker, I object.

Mr. CANFIELD. Will the gentleman withhold his objection?

Mr. SCHAFER. I will withhold my objection, but there is nothing the gentleman can bring to my attention to stop me from objecting to the consideration of this bill, which involves the payment of approximately \$300,000 on an old, hoary Civil War claim for oats and wheat. There may also be barley in it. I think a bill of this size should not be taken up under unanimous consent.

Mr. MOUSER. Mr. Speaker, I object.

JACOB LANDRY

The Clerk called the next bill, H. R. 2418, concerning the claim of Jacob Landry.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That all the right, title, and interest of the United States in and to section 33, township 10 south, range 2 east, St. Helena meridian, Ascension Parish, La., containing 232.75 acres, as shown on a plat of survey made by August P. Pheps, deputy surveyor, approved on April 14, 1851, by R. W. Boyd, surveyor general for the district of Louisiana, and segregated thereon as the claim of Jacob Landry, be, and the same are hereby, released, relinquished, and confirmed by the United States to the equitable owners of the equitable title thereto and to their respective heirs and assigns forever, as fully and completely, in every respect whatever, as could be done by patents issued according to law: *Provided,* That this act shall amount only to a relinquishment of any title that the United States has, or is supposed to have, in and to any of said lands, and shall not be construed to abridge, impair, injure, prejudice, or divert in any manner any valid right, title, or interest of any person or body corporate whatever; the true intent of this act being to concede and abandon all right, title, and interest of the United States to those persons, estates, firms, or corporations who would be the equitable owners of said lands, by reasons of long continuous possession under color of title with claim of ownership, or otherwise, under the laws of Louisiana, including the laws of prescription and limitation, in the absence of the said interest, title, and estate of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

VALIDATING CERTAIN APPLICATIONS FOR AND ENTRIES OF PUBLIC LANDS

The Clerk called the next bill, H. R. 7674, validating certain applications for and entries of public lands, and for other purposes.

Mr. SCHAFER. Mr. Speaker, reserving the right to object, I would like to find out what the total cost to the Government of the United States will be if this bill is passed.

Mr. EVANS of Montana. It is my understanding there will be no cost whatever.

Mr. SCHAFER. Are there any oil or minerals in the land in question? I see there is no reservation of any oil or mineral rights.

Mr. EVANS of Montana. I do not know, and I am not prepared to say. The bill comes from the Interior Department, and they advise me there are four entries which ought to be patented, but for some technical reason they can not patent them.

Mr. SCHAFER. In these other bills, where we legalize these entries, there is a reservation with reference to mineral and oil rights. Why should they not be included in this bill?

Mr. ARENTZ. They should be.

Mr. SCHAFER. Unless an amendment is prepared to that effect I am going to object.

Mr. COLTON. If the gentleman will permit, I think he will find that the Government now includes those reservations in all of these entries. These are cases that arise during the administration of the Land Office each year. The equities are all with the entrymen; but because of techni-

calities in the law, title can not be granted; and they send omnibus bills of this kind every year and ask us to pass them.

Mr. SCHAFER. Why should we not carry a reservation of the mineral and oil rights in this bill the same as in other bills?

Mr. ARENTZ. That is perfectly right. We should do that.

Mr. COLTON. There is no objection to it.

Mr. SCHAFER. There is one more question I would like to ask. What is the effect of section 4, where you are taking away something from the Wasco County Electric & Water Power Co., without making any mention in the committee report as to the reason for that action. I notice that section 4 takes back the right of way that was granted to this company under the act of March 3, 1875.

Mr. ARENTZ. If the gentleman will read the sixth line from the bottom on page 3, he will find that:

The forfeiture of the grant would remove the cloud from the lands crossed by the right of way, and such action by the Congress is recommended.

Mr. SCHAFER. Does the Wasco County Electric & Water Power Co. need this right of way?

Mr. ARENTZ. Absolutely not, because the right of way is forfeited so as to remove the cloud on the title.

Mr. SCHAFER. But that does not answer my question. When you remove the cloud on the title, and give some citizen of this country title to the land, I do not want to approve a bill that is going to take something away from another citizen, be it an individual or a corporation.

Mr. ARENTZ. In view of the fact that the right of way was asked for, the road never built, and no construction work ever done, it is necessary—

Mr. SCHAFER. If that is the fact, and I am sure it is because the gentleman tells us so—

Mr. ARENTZ. I will read it.

Mr. SCHAFER. No; that is not necessary. When the gentleman makes a statement, I know it is correct. If the gentleman will offer the usual provision reserving the oil and mineral rights to the Government, I shall not object.

Mr. EVANS of Montana. I have no objection to such an amendment.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. EVANS of Montana. Mr. Speaker, I ask unanimous consent to substitute a similar Senate bill, S. 3111.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3111

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to allow Edward L. Dailey, of Priest River, Idaho, to make entry under section 7 of the enlarged homestead act (36 Stat. L. 531), for the east half of southwest quarter, southwest quarter of southwest quarter, south half of northwest quarter of southwest quarter, south half of north half of northwest quarter of southwest quarter, northeast quarter of northeast quarter of northwest quarter of southwest quarter, southeast quarter of southeast quarter of northwest quarter, and south half of southwest quarter of southeast quarter of northwest quarter, section 24, township 57 north, range 5 west, Boise meridian, Idaho, within the limits of Kaniksu National Forest, restored to entry under the provisions of the act of June 11, 1906 (34 Stat. L. 233).

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized and directed to accept final proof submitted by Eugene Johnson on December 27, 1929, in support of his homestead entry, Santa Fe, N. Mex., No. 054594, made on November 8, 1926, for lots 1 and 2, and south half of the northeast quarter, section 4, township 3 north, range 14 west, New Mexico principal meridian, and to issue patent upon payment therefor at the rate of \$1.25 per acre.

SEC. 3. That the Secretary of the Interior be, and he is hereby, authorized and directed to issue patent upon isolated-tract application, Evanston, Wyo., No. 017020, filed by John Arambel on February 18, 1930, for the south half of the northeast quarter, section 17, township 24 north, range 106 west, sixth principal meridian, which was purchased by him at the appraised price of \$3 per acre, under the provisions of section 2455 of the Revised Statutes, as amended, and on which cash certificate issued on April 11, 1930.

SEC. 4. That the right of way under the act of March 3, 1875 (18 Stat. L. 482), granted to the Wasco County Electric & Water Power Co. from a point in section 10, township 4 south, range 21 east, Willamette meridian, to a point in section 34, township 9 south, range 20 east, Willamette meridian, Oregon, be, and the same is hereby forfeited.

Mr. ARENTZ. Mr. Speaker, I offer an amendment as an additional section to the bill.

The Clerk read as follows:

Amendment offered by Mr. ARENTZ: Page 3, at the end of the bill insert a new section, as follows:

"Sec. 5. Patent issued hereunder shall contain a reservation, in the usual form, of all oil, gas, and other minerals to the United States."

The amendment was agreed to.

The bill, as amended, was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H. R. 7674, was laid on the table.

P. JEAN DES GARENNES

The Clerk called the next bill, H. R. 1420, for the relief of P. Jean des Garennes.

Mr. BLANTON. Mr. Speaker, I reserve the right to object. I am against the growing practice of picking out favored individuals here and there and granting them pensions, when you do not grant pensions to all other persons of the same age and circumstances. Such favoritism must stop.

The only service this man ever rendered the Government was while holding a nice comfortable remunerative position as teacher for 28 years in the Naval Academy and receiving \$4,500 a year for it. Why should we pension him and not pension all other faithful teachers? If we are going to pension this man, we ought to pick out every other man and woman in the United States who has taught 28 years, and there are several hundred thousand of them in the United States, and pension all of them.

Mr. GAMBRILL. Let me say to the gentleman from Texas that this man did teach 28 years, and he is now 84 years of age.

Mr. BLANTON. Yes; and there are lots of similar cases where such teachers as faithful as he was do not receive any pension. I am against picking out the wives of former Presidents and granting them a pension when they are worth, perhaps, several hundred thousand dollars. I am against all such practices.

Mr. SCHAFER. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. SCHAFER. I notice when the bill granting Mrs. Woodrow Wilson a pension of \$5,000 a year as long as she lives was on the Consent Calendar the gentleman did not object.

Mr. BLANTON. The gentleman is mistaken. I have objected to all such bills. I blocked the bill to grant a pension to Mrs. Theodore Roosevelt and the one for Mrs. Warren G. Harding and the one for Mrs. Woodrow Wilson just as long as one objection could stop them.

Mr. SCHAFER. How did the bill pass, then?

Mr. BLANTON. I was not here in Congress when that bill was passed granting a pension to Mrs. Woodrow Wilson. That passed during the interim that I was out of Congress.

Mr. BACHMANN. The gentleman from Texas was not a Member of the Congress at that time?

Mr. BLANTON. I was not here at the time that bill passed. I objected to every one that was presented while I was here and blocked them in each Congress as long as one man could block them.

Mr. SCHAFER. My recollection is that the gentleman was here, because I was tempted to object myself; but when the gentleman did not object, I did not.

Mr. BLANTON. No; the gentleman is entirely mistaken. If the gentleman will look up the record he will find I objected to every one of those special bills granting pensions to widows of deceased Presidents, who were all financially well fixed. I am uncompromisingly against showing such favoritism.

I object to this bill, Mr. Speaker.

DAVID J. MAHONEY

The Clerk called the next bill, H. R. 1853, authorizing the Secretary of the Navy to advance on the retired list of the Navy David J. Mahoney, retired, to chief boiler maker, retired.

Mr. STAFFORD. Mr. Speaker, I object.

FREDERICK L. CAUDLE

The Clerk called the next bill, H. R. 2125, to provide for the advancement on the retired list of the Navy of Frederick L. Caudle.

Mr. STAFFORD. Mr. Speaker, I object.

Mr. EATON of Colorado. Mr. Speaker, may I ask the gentleman to withhold his objection a moment?

Mr. STAFFORD. I withhold it.

Mr. EATON of Colorado. In the Seventy-first Congress there was a similar bill, and I had an opportunity to meet the objection of the gentleman. It was a bill of exactly the same character. It was the case of a man who was sent to the Fitzsimons Hospital about the time the Navy rule was changed as to when a man would be given an additional grade in his rank in the Navy. This man immediately upon receipt at the hospital was examined by the board and was then given retirement instead of keeping him there for a 90-day period before the retirement date became effective. In this case, had the retirement not been made shortly after his entrance in the hospital, the grade asked for in this bill would have become effective and the claimant would have received the benefit of it.

At that time, in the Seventy-first Congress, there were three cases; one was passed, and the gentleman from Wisconsin withdrew his objection. I trust he will do so in this case. I think under the circumstances this bill should be passed. In the last Congress it was passed in the Senate.

Mr. STAFFORD. The report shows the reason why this character of legislation should not be passed, and therefore I object.

ANNIE BRUCE

The Clerk read the next bill on the Private Calendar, H. R. 2686, granting six months' pay to Annie Bruce.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to pay out of the appropriation "Pay of the Navy, 1932," to Annie Bruce, widow of the late Lieut. Frank Bruce, United States Navy, an amount equal to six months' pay at the rate said Frank Bruce was receiving at the date of his death.

Mr. SCHAFER. Mr. Speaker, I rise in opposition to the bill, to obtain some information. This bill was reported out by the Naval Affairs Committee, and contains an appropriation. Under the rules of the House, the Naval Affairs Committee has no authority to appropriate, notwithstanding the fact that the distinguished chairman of the Foreign Affairs Committee has indicated that a certain class of bills carrying appropriations reported out by the Claims Committee, which has authority to appropriate, would be objected to, because they are not referred to the Foreign Affairs Committee, which has no authority to appropriate.

Mr. SWING. Does the gentleman make that as an argument against this case?

Mr. SCHAFER. I intended to object to this bill, but the unanimous-consent proceedings went through so fast that I did not hear the Chair ask for an objection. I want to find out why this bill has singled out this beneficiary to pay her six months of a lieutenant's pay.

Mr. SWING. Has the gentleman read the report? The report of the Navy Department sets forth completely why. There is a favorable report made by both the Navy Department and the committee. The bill was passed by the House in the last Congress, but was not reached in the Senate. It is a most meritorious bill.

Mr. STAFFORD. Will the gentleman yield?

Mr. SCHAFER. I would yield, but I want to get some information, and the gentleman from California, the author of the bill, has not given me that information. If he does

not want to give the information, we will have to have a quorum here if the bill is to be passed.

Mr. STAFFORD. I think it is the farthest thought of the gentleman from California to be sarcastic, knowing that he is appealing to the grace of any Member when there is not a quorum present.

Mr. SCHAFER. If my distinguished colleague from Wisconsin can give me the information which I desire and show why this bill should pass—

Mr. STAFFORD. The existing law provides for the payment of six months' gratuity to the dependents of all naval officers when they die in service. There was a short interim when that law was repealed. This provides a gratuity for an officer who died during that interim when the law was not in force.

Mr. SCHAFER. Is this the only naval officer that would come under these circumstances?

Mr. STAFFORD. Oh, no; we have passed as many as 10 of these bills where naval officers died during that period, because it was the established policy prior to the repeal to pay the dependents of such officers who died in the service, and is the law to-day.

Mr. SCHAFER. Mr. Speaker, in view of the facts given by my colleague from Wisconsin, I will not object to the passage of the bill and will not raise a point of no quorum.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

DAVID ALBERT ROBESON

The next business on the Private Calendar was the bill (H. R. 2695) for the relief of David Albert Robeson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to accept for enlistment in the Navy, without regard to physical or other qualifications, David Albert Robeson, formerly chief yeoman, United States Navy and United States Fleet Naval Reserve, in the rating held by him when last discharged and to transfer him immediately to the Fleet Naval Reserve in that rating: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

GEORGE W. STEELE, JR.

The next business on the Private Calendar was the bill (H. R. 6336) for the relief of George W. Steele, jr.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, I reserve the right to object, in order to get some information from the author.

Mr. GAMBRILL. Mr. Speaker, this is a bill introduced by me at the request of the Navy Department. I have no interest in it outside of that. It is to correct the accounts of Captain Steele, who was a military attaché at Paris. Five naval officers were detailed in 1928 to go to Paris, France, and to Spain, for the purpose of perfecting themselves in the language of those countries. They were under orders to go there, and under orders were allowed \$6 per diem. The amount was paid, \$1,674, by Captain Steele. When his accounts came before the Comptroller General they were disallowed on the ground that the officers were entitled to only subsistence allowance, which, I believe, amounts to about 60 cents a day. These officers were required to go to Spain and to France. They were under orders to go there and were allowed the \$6 a day.

Mr. STAFFORD. That is a pretty nice pleasure trip—to go at the direction of the Navy on a jaunt through France and Spain.

Mr. GAMBRILL. They were instructors at the Naval Academy at Annapolis, and were instructed to go to France and Spain in order to perfect themselves in the languages of those countries.

Mr. STAFFORD. Nevertheless, it was during the summer-vacation period, was it not?

Mr. GAMBRILL. Certainly.

Mr. STAFFORD. And that is the time when they enjoy their vacations.

Mr. GAMBRILL. Oh, no; that is the only time that they can get away from the Naval Academy.

Mr. STAFFORD. Why was not the position of the comptroller correct in refusing this \$6 per day allowance?

Mr. GAMBRILL. The gentleman must know himself that one can not live in Spain and France on 60 cents a day. The allowance of \$6 a day was a reasonable allowance.

Mr. STAFFORD. Mr. Speaker, I had this bill marked for objection, but the gentleman from Maryland has presented facts which causes me to withdraw my objection.

The SPEAKER pro tempore. Is there objection?

Mr. SCHAFER. Mr. Speaker, I reserve the right to object. This bill properly should have been sent to the Committee on Claims. It is about time that the Naval Affairs Committee, of which the author of this bill is a member, stops usurping the jurisdiction of the Claims Committee. However, this is a meritorious bill, and I shall not object, but I suggest in the future where there are bills that should go to the Claims Committee that the gentleman send them there.

Mr. GAMBRILL. Mr. Speaker, I have nothing to do with sending bills to different committees.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to credit the accounts of George W. Steele, Jr., captain, United States Navy, in the sum of \$1,674, representing payments made by him to five officers of the Navy in accordance with orders of the Navy Department, which payments were disallowed by the Comptroller General.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

J. N. GORDON

The next business on the Private Calendar was the bill (H. R. 8777) for the relief of J. N. Gordon.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he hereby is, authorized and directed to adjust and settle the claim of J. N. Gordon, arising out of the relinquishment of certain lands included in mineral entry, Denver, numbered 040111, for which the payments had theretofore been made, and to allow said claim in the amount of \$382.50 in full and final settlement thereof.

SEC. 2. To enable the Comptroller General to carry out the provisions of this act there is hereby appropriated, out of that subdivision of the Confederate Bands of Utes 4 per cent fund to which the same was heretofore credited, the sum of \$382.50 to pay this claim.

Mr. BACHMANN. Mr. Speaker, I move to strike out the last word. I do this to call the attention of the Members present to-night to the way this calendar has operated. The other day we worked under the new rule that the House adopted to handle the Private Calendar. We consumed over two hours' time and considered 13 bills under that new rule. Three of those bills were passed. In two hours' time to-night we have considered 33 bills, 22 of which have been passed favorably and 11 objected to.

Mr. RAMSPECK. Mr. Speaker, will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. RAMSPECK. It might be well to state those bills that we considered under the new rule had previously been objected to under this procedure.

Mr. BACHMANN. That was the understanding, and that is the reason we should have made more time. It is quite evident from the way the House is considering the Private Calendar to-night that if we are going to clean up the bills that are on this Private Calendar before the adjournment of this session we ought to follow the rule of unanimous consent, such as we have followed to-night, and not go back to a proceeding under the new rule that some Members of the House thought would expedite the handling of bills on the Private Calendar.

Many of us are interested in these private bills. It is clearly evident that the proper and practical way to handle them is the way they have been handled under this unanimous-consent proceeding to-night. I hope during the rest of the session when the Private Calendar is being considered we will proceed under the unanimous-consent rule, as we have to-night, instead of under the new rule that was adopted by the House.

Mr. BLANTON. Mr. Speaker, I rise in opposition to the pro forma amendment.

I agree exactly with what the gentleman from West Virginia has said. We can not improve much on the old rules of this House. They are the result of a hundred years of study by men who have been just as smart as we are. If we want to pass the good bills, we had better take steps at once to abolish this new rule, which is unworkable, and go back to the old rule.

I am sorry we are about to lose the most valuable part of the very valuable services of the distinguished gentleman from West Virginia, Mr. BACHMANN, in this House. His being drafted by our Republican friends as minority whip is a distinct loss to the country. He has been taken away from us and put into a political job. Up to this time he has been one of the most valuable men in the House. He has not only helped us in watching the Private Calendar and the Consent Calendar with a great deal of success, and blocking bad bills, but he has been active here in helping us to frame all kinds of important legislation, and he rendered distinctive service on the Fish committee to stop the growth of communism in the United States. I am sorry we are about to lose him from active legislative service. Since he has been made Republican whip, from now on his time will be taken up mostly with politics. [Applause and laughter.]

Mr. MOUSER. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. MOUSER. I agree with all the gentleman from Texas has said about the distinguished gentleman from West Virginia [Mr. BACHMANN]; but I might add that, as a result of the great experience over long service in this House of the present occupant of the chair, the distinguished majority floor leader, we have been able to expedite the business of the evening. [Applause.]

The pro forma amendment was withdrawn.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

C. M. WILLIAMSON AND OTHERS

The Clerk called the next bill on the Private Calendar, S. 458, for the relief of C. M. Williamson, Mrs. Tura Liljenquist, administratrix of C. E. Liljenquist, deceased, Lottie Redman, and H. N. Smith.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GRISWOLD. Mr. Speaker, reserving the right to object, this bill, No. 260 on the calendar, S. 458, is identical with H. R. 4393, which is at present No. 144 on the deferred calendar. This bill was given a great deal of consideration before the House at the previous hearing, and I object.

Mr. SMITH of Idaho. Will the gentleman reserve his objection for a moment?

Mr. GRISWOLD. I will.

Mr. SMITH of Idaho. I am sorry the gentleman takes this attitude, because this is certainly a very meritorious bill. This is a Senate bill and is identical with one that was introduced and reported favorably in the House not only in this session but in previous sessions. We feel that these people, for whose relief this legislation has been introduced, are entitled to favorable consideration, because they in good faith entered upon the land which was supposed to be irrigable by gravity, but as the Government progressed with the development of the irrigation project, it was found that these lands were on a knoll and they could not be irrigated by gravity, and consequently the water was not furnished them, although the Government collected maintenance and opera-

tion each year for furnishing the water which they did not furnish.

The entrymen, while waiting for the Government to put water on the higher land, bought power plants and paid a power company a vast amount, over \$5,000, over a period of nine years. Then the Government, realizing that they had contracts with these individual entrymen, put in a siphon which enabled them to bring the water by gravity to these lands. These entrymen have acted in good faith, and the Government had a contract with them to furnish water and did not do it. This is for the relief of these people during the time they had to put the water there at their own expense.

Mr. MOUSER. Will the gentleman yield?

Mr. SMITH of Idaho. I yield.

Mr. MOUSER. I have carefully investigated this report and I can not help but agree with the report of the Committee on Claims, that this is a clear violation of a contract with the Government. The question arises, and it is broader than the amount involved, whether or not the United States Government, which can not be sued because of its sovereignty, is to be permitted to take advantage of that sovereignty by not recognizing these claims against it. The original report showed that this land was irrigable, and properly classified as such, and these people relied upon this contract to obtain water for the purpose of carrying on their farming activities. The Government violated the contract, and these people were compelled to purchase the water.

Mr. BLANTON. Will the gentleman yield?

Mr. MOUSER. I yield if I have the floor.

Mr. BLANTON. The Indian Commissioner says:

It would appear from the foregoing that the Government is not under obligation to pay these landowners for the sums expended by them in constructing and operating their pump machinery for their own benefit.

And Hon. Lyman Wilbur, Secretary of the Interior, says:

I can not recommend the passage of this bill.

What has the gentleman to say about that?

Mr. MOUSER. This question is broader than mere argument as to who should do the pumping. These people were deprived of their water, and I agree with the report of the committee, from the facts, as against the report of the bureau. The interest has been eliminated. Clearly, in a civil court, they would have been granted that interest. I know the gentleman is fair enough and a good enough lawyer to understand that.

Mr. FRENCH. Will the gentleman yield?

Mr. MOUSER. I yield.

Mr. FRENCH. And during all this period these claimants were paying their annual assessment charges to the Government.

Mr. STAFFORD. And they were making no claim whatsoever for installing the machinery.

Mr. BLANTON. Mr. Speaker, we can handle one of the gentlemen from Idaho, but not both of them at the same time.

Mr. MOUSER. Mr. Speaker, I think the claim is meritorious.

Mr. BLANTON. Mr. Speaker, I object to the bill.

WILLIAM J. NOWINSKI

The Clerk called the next bill, H. R. 1346, for the relief of William J. Nowinski.

Mr. STAFFORD. I object.

LIEUT. COMMANDER CORNELIUS DUGAN

The Clerk called the next bill, H. R. 2839, for the relief of Lieut. Commander Cornelius Dugan, retired.

Mr. STAFFORD. Mr. Speaker, I object.

Mr. EATON of Colorado. I object.

MINNIE HOPKINS

The Clerk called the next bill, H. R. 3624, for the relief of Minnie Hopkins.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Minnie Hopkins, mother of Farris Carlton Hopkins, seaman, first class, United States Navy, who was killed by an explosion on the U. S. S. Mississippi, June 12, 1924, is hereby allowed an amount equal to six months' pay at the rate Farris Carlton Hopkins was receiving at the date of his death: Provided, That the said Minnie Hopkins establishes to the satisfaction of the Secretary of the Navy the fact that she was actually dependent upon her son, the late Farris Carlton Hopkins, at the time of his death.

SEC. 2. That the payment of the amount of money allowed and authorized to be paid to the said Minnie Hopkins is authorized to be made from the appropriation "Pay, subsistence, and transportation of Navy revenue."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

JOE G. McINERNEY

The Clerk called the next bill, H. R. 4226, for the relief of Joe G. McInerney.

Mr. EATON of Colorado. Mr. Speaker, I object.

Mr. McMILLAN. Will the gentleman withhold his objection.

Mr. EATON of Colorado. Yes.

Mr. McMILLAN. I do not know the reason the gentleman objects to this bill if the gentleman has read the report. The report shows that neither the Treasury Department nor the Navy Department has anything at all against this man's record.

Mr. EATON of Colorado. The man was dishonorably discharged, and because the records happen to be unavailable at the present time is no basis for such a statement.

Mr. McMILLAN. The records are not unavailable at the present time. The commandant of the Coast Guard says his office has no record of any dishonorable discharge.

Mr. EATON of Colorado. The man has his own dishonorable discharge, and the report so states.

Mr. McMILLAN. Yes; but let me tell the gentleman from Colorado exactly what has happened.

I have here a letter from the commanding officer of the ship. It is in the report. Here is a photostatic copy of a letter written three days after the man was discharged by the assistant engineer in charge of the ship on which he served, which I just received from him the other day:

This is to certify Joseph McInerney served as oiler on this vessel for the past 12 months. During that entire period on the *Forward* I have found him to be intelligent, industrious, willing, obedient, respectful, and never under the influence of liquor. Great pleasure is therefore taken in recommending him to any person or firm needing the services of such a man.

That is signed by Charles A. Root, assistant engineer of this ship.

I know this gentleman. I have known him 20 years. His reputation is unquestioned by anybody who knows him in my city.

I hope the gentleman from Colorado will not object unless he can show good grounds.

I will say to the gentleman from Colorado that the discharge was given him because of the fact that inadvertently, and he says that in his letter, he failed to salute an officer as he was coming off the ship. This is the cause of the discharge. This is the only ground on which the action was taken against him.

When the department has no record of any reason to the contrary why such a thing as that should exist, I hope the gentleman will not object.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I believe the gentleman will have no objection to the customary saving clause that no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act?

Mr. McMILLAN. That is provided in the bill.

Mr. STAFFORD. It is not in the customary phraseology.

Mr. McMILLAN. No; I have no objection to it.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, or benefits upon persons honorably discharged from the United States Coast Guard, their widows, children, and dependent relatives, Joe G. McInerney shall be held and

considered to have been discharged under honorable conditions as a coal heaver from the cutter *Forward* on December 13, 1902; but no pay or bounty shall be held to have accrued prior to the date of the enactment of this act.

Mr. STAFFORD. Mr. Speaker, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. STAFFORD: On line 9, strike out the semicolon and the remainder of lines 9 and 10, insert a colon, and add the following: "Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ROSCOE M'KINLEY MEADOWS

The Clerk called the next bill, H. R. 4271, for the relief of Roscoe McKinley Meadows.

Mr. STAFFORD. Mr. Speaker, I object.

Mr. MONTAGUE. Will the gentleman withhold his objection?

Mr. STAFFORD. Yes.

Mr. MONTAGUE. There are several bills of this particular character which have been passed, and several passed when the gentleman himself was present.

Mr. STAFFORD. I do not think there have been several, although there may have been one. I went over this very carefully, and I have no question but what it is objectionable, to my way of thinking.

Mr. MONTAGUE. The gentleman will notice that General Hines states:

From a review of all the evidence of record, it would appear that Mr. Meadows may be equitably entitled to some relief, but under the existing interpretations of law, you will realize that it is impossible for his case to be considered under the emergency officers' retirement act.

So he is between the upper and nether millstone. He could not be a regular officer nor could he come under the retirement act.

Mr. STAFFORD. He was a chaplain in the service?

Mr. MONTAGUE. Yes.

Mr. STAFFORD. And now wishes to be retired at a high salary. I will say to my friend from Virginia that I have taken this position in the Committee on Military Affairs with reference to bills of a similar character.

Mr. MONTAGUE. The gentleman has objected to some bills, but I notice he did not object to others.

Mr. STAFFORD. I wish the gentleman would call my attention to a case where I have even squinted at recognizing this policy.

Mr. MONTAGUE. I called the gentleman's attention to this bill once before.

Mr. STAFFORD. I will go over it again, but according to my present way of thinking I am strongly opposed to it. Mr. Speaker, I object.

ROLAND BALDWIN ESTEP

The Clerk called the next bill, H. R. 5011, for the relief of Roland Baldwin Estep, deceased.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. EATON of Colorado. Mr. Speaker, I object.

CHARLES W. EATON

The Clerk called the next bill, H. R. 6765, for the relief of Charles W. Eaton.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, I object.

RELIEF OF CERTAIN UNITED STATES NAVAL OFFICERS

The Clerk called the next bill, H. R. 1383, for the relief of certain United States naval officers.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in construing the laws governing travel and travel allowances of naval personnel the travel performed by Ensigns R. E. Van Meter, F. M. Adamson, S. C. Anderson, G. H. Deiter, Paul Foley, Jr., H. J. Hiemenz, C. V. Ricketts, C. E. Weakley,

M. B. Wyatt, and F. R. Duborg; Midshipmen P. L. deVos, P. C. Evans, W. C. Ennis, D. W. Gladney, J. H. Hean, and H. M. Heiser, incident to their appearance December 7, 1929, before the State Committees of Selection for Rhodes Scholarships, under orders of the Navy Department, shall be held and considered to have been performed on public business and the Secretary of the Navy is hereby authorized and directed to pay them travel allowances therefor from the current appropriation, "Pay, subsistence, and transportation, Navy."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

NOLEN N. REYNOLDS

The Clerk called the next bill, H. R. 1907, for the relief of Nolen N. Reynolds.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged sailors, Nolen N. Reynolds, who served as a fireman, third class, United States Navy, shall hereafter be held and considered to have been honorably discharged from the naval service of the United States on June 6, 1922: *Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.*

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

JOSEPH B. LYNCH

The Clerk called the next bill, H. R. 3420, for the relief of Joseph B. Lynch.

Mr. STAFFORD. Mr. Speaker, I object.

Mr. DALLINGER. Will the gentleman withhold his objection?

Mr. STAFFORD. I will.

Mr. DALLINGER. There is a favorable report from the Navy Department on this bill.

Mr. STAFFORD. There are many favorable reports from the Navy Department on questionable bills.

Mr. DALLINGER. This is a case where this man filed his application but they lost his application in the Navy Department. The report says:

In view of the fact that Lieutenant Lynch requested reenrollment within four months of the date of the expiration of his previous enrollment, and that he was not reenrolled from any fault of his own, the committee feels that his request should be granted.

Then there is a letter from the Secretary of the Navy. It was entirely the fault of the Navy Department and they admit it.

Mr. STAFFORD. This man was in the Naval Reserve. Within four months of the expiration of his first service he applied for reenrollment and there was nothing heard from his application until two years later. You are now asking to have him granted privileges as if he had been enrolled at the time of his original application.

Mr. DALLINGER. He should have been enrolled.

Mr. STAFFORD. But, in fact, he was not, and now you are asking to give him pay for the time he did not serve. Mr. Speaker, I object.

MICHAEL F. CALNAN

The Clerk called the next bill, H. R. 3422, for the relief of Michael F. Calnan.

Mr. STAFFORD. Mr. Speaker, I reserve the right to object. This is another bill introduced by the gentleman from Massachusetts.

Mr. DALLINGER. Mr. Speaker, this man, so far as fighting is concerned, had a splendid record. Whenever there was any fighting going on during the Boxer insurrection or in the Philippines he was right there, but he did have one failing. He sometimes drank too much; but in view of the fact that his military record is all right, so far as fighting is concerned, it does seem that he might have his record corrected.

Mr. STAFFORD. Mr. Speaker, perhaps, as a liberal who has voted consistently for modification of the prohibition enforcement act to correct intolerable conditions, I should

take a more liberal attitude, particularly with the gentleman, who is invariably dry—not dripping dry, but arid dry—from classic Cambridge and from an institution which is supposed to graduate persons of liberal thought. Here we find that this man committed many offenses in being absent without leave and drinking, culminating in a summary court-martial for absence without leave.

Mr. DALLINGER. All this occurred when there was not any fighting going on. He had four years of service.

Mr. STAFFORD. Perhaps, Mr. Speaker, this man had a fighting spirit like Bob Evans, who never considered any man to have proper fighting qualities unless he could take a drink. I think this man does not represent the type that the sponsor of this bill represents. Therefore he was a good fighting man, and I withdraw my objection. [Laughter and applause.]

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the pension laws Michael F. Calnan shall hereafter be held and considered to have been honorably discharged from the military service of the United States in the Marine Corps: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed; and a motion to reconsider was laid on the table.

ROSCOE M'KINLEY MEADOWS

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to return to Calendar No. 265, the bill (H. R. 4271) for the relief of Roscoe McKinley Meadows, introduced by our colleague the gentleman from Virginia [Mr. MONTAGUE]. I want to ask the gentleman from Wisconsin a question in connection with the bill.

Mr. SCHAFER. Mr. Speaker, reserving the right to object, is the beneficiary of this bill a drinking man also?

Mr. STAFFORD. Mr. Speaker, I shall be pleased to go over this bill again, but for the time being, I object.

ROBERT J. WHITE

The Clerk called the next bill, H. R. 3426, for the relief of Robert J. White.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, here is another installment by the gentleman from Massachusetts, from the classic shades of Cambridge. I would like to have some explanation of this bill, because I have it marked provisionally for objection. Is this a drinking man also?

Mr. DALLINGER. No. I may state, Mr. Speaker, that Mr. White, anxious to serve his country, enlisted in the Navy in the only way he could at the time. A week after he had enlisted in the regular Navy the Congress passed an act whereby men could enlist as emergency officers. This man was overseas and was injured. As a result of the injury which he received in the service he had to submit to an operation and one of his kidneys was removed.

This matter went before the Veterans' Bureau, and he was recommended for retirement under the emergency officers' retirement act, and then the Comptroller General raised the technical point that he had enlisted in the Regular Navy. This man was an emergency officer, and so understood it, and when the war was over he resigned.

It seems to me this is an exceptionally good case for retirement, and I do not believe that this technical objection raised by the Comptroller General should stand in the way of his being retired.

Mr. STAFFORD. Mr. Speaker, I have examined the report while the gentleman from Massachusetts has been expatiating upon the service of this good man, and I recall I have objected to similar bills, and I therefore object.

RALPH M'ALPIN

The Clerk read the next bill on the Private Calendar, H. R. 4311, for the relief of Ralph McAlpin.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Mr. Speaker, the department recommends against this bill, and I object.

LYDIA C. SPRY

The Clerk read the next bill on the Private Calendar, H. R. 971, granting insurance to Lydia C. Spry.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, will some member of the Committee on Claims explain this bill?

Mr. SCHAFER. If the gentleman will yield, this is a bill I questioned in the Claims Committee because it involved the payment of war-risk insurance to the beneficiary. I reserved the right to file a minority report and sent for the case folder to check the record. This man was in the service and designated that deductions be made from his pay to take care of the war-risk insurance.

He was temporarily out of the service for a short time and then reentered the service. The Navy Department could not find the record of the filing of the application and the designation that deductions be made from his pay.

However, he was entitled to additional pay by reason of the second enlistment, which pay he had not received. He no doubt was under the impression the additional pay was not received because it was being used to pay his insurance premiums.

The Government owed him this additional money for the reenlistment, which was approximately the amount of the premium which is deductible for war-risk insurance premiums.

In the case of war-risk insurance, if the insurance lapses and later it is found that the beneficiary had uncollected compensation due him, there is an automatic reinstatement of the insurance.

Mr. BLANTON. Will the gentleman yield?

Mr. SCHAFER. Yes.

Mr. BLANTON. Why did not the gentleman get the file?

Mr. SCHAFER. I did get the file, and went through it. If the facts in the folders had not justified favorable action, I would have filed a minority report.

Mr. BLANTON. Why did not they get the report from the department and put the recommendations into the report?

Mr. SCHAFER. I could not tell the gentleman. I did not write the report.

Mr. BLANTON. When there is no report from the department, especially in a case like this that called for \$8,000 paid to a private individual, I shall always object. There ought to be a recommendation from the department in every report that is filed, and where there is not, I shall object. I object.

LOTTIE NAYLOR

The Clerk called the next bill on the Private Calendar, H. R. 1406, for the relief of Lottie Naylor.

The SPEAKER pro tempore. Is there objection?

Mr. MOUSER. I object.

ADJOURNMENT

Mr. STAFFORD. Mr. Speaker, I make the point that there is no quorum present.

Mr. BLANTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 28 minutes p. m.) the House adjourned until to-morrow, Thursday, May 26, 1932, at 12 o'clock noon.

COMMITTEE HEARINGS

Tentative list of committee hearings scheduled for Thursday, May 26, 1932, as reported to the floor leader by clerks of the several committees:

WAYS AND MEANS

(10 a. m.)

Mansfield bill—bond issue for river and harbor construction.

FOREIGN AFFAIRS

(10.30 a. m.)

Hearings—World Court.

RULES

(10.30 a. m.)

Home loan banking bill.

MILITARY AFFAIRS

(10 a. m.)

Hearings—Port Newark Army base.

RIVERS AND HARBORS

(10.30 a. m.)

Hearings—Hudson River Channel, N. Y., and Miami, Fla., projects.

INSULAR AFFAIRS

(10.30 a. m.)

Hearings—Samoa bill.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

588. A letter from the Comptroller General, transmitting a report and recommendation to the Congress concerning the claim of Arthur R. Saffran against the United States; to the Committee on Claims.

589. A letter from the Secretary of War, transmitting a report dated May 24, 1932, from the Chief of Engineers, United States Army, on John Day River, Oreg.; to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. REILLY: Committee on Banking and Currency. H. R. 12280. A bill to create Federal home-loan banks, to provide for the supervision thereof, and for other purposes; without amendment (Rept. No. 1418). Referred to the Committee of the Whole House on the state of the Union.

Mr. DRIVER: Committee on the Territories. H. R. 12281. A bill to encourage the mining of coal adjacent to the Alaska Railroad in the Territory of Alaska, and for other purposes; without amendment (Rept. No. 1419). Referred to the Committee of the Whole House on the state of the Union.

Mr. ALMON: Committee on Roads. H. R. 12286. A bill to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes; without amendment (Rept. No. 1420). Referred to the Committee of the Whole House on the state of the Union.

Mr. GAVAGAN: Committee on Patents. H. R. 10924. A bill to amend section 4916 of the Revised Statutes (U. S. C., title 35, sec. 64); without amendment. (Rept. No. 1421). Referred to the House Calendar.

Mr. SUMNERS of Texas: Committee on the Judiciary. H. R. 11390. A bill to detach Hardeman County from the Fort Worth division of the northern judicial district of the State of Texas and attach the same to the Wichita Falls division of said district; without amendment (Rept. No. 1422). Referred to the House Calendar.

Mr. LOOFBOUROW: Committee on Indian Affairs. H. R. 5846. A bill authorizing the district court of the United States for the Eastern District of Oklahoma to hear and determine certain claims of the Seminole Nation or Tribe of Indians; with amendment (Rept. No. 1427). Referred to the Committee of the Whole House on the state of the Union.

Mr. HILL of Alabama: Committee on Military Affairs. H. R. 487. A bill to authorize an appropriation for the purchase of land in South Dakota for use as camp sites or rifle ranges for the National Guard of said State; without amendment (Rept. No. 1428). Referred to the Committee of the Whole House on the state of the Union.

Mr. FULLER: Committee on the Public Lands. H. R. 9440. A bill to authorize the adjustment of the boundaries of the Colville National Forest in the State of Washington,

and for other purposes; with amendment (Rept. No. 1430). Referred to the Committee of the Whole House on the state of the Union.

Mr. STEVENSON: Committee on Printing. H. Con. Res. 31. A concurrent resolution to print and bind the proceedings in Congress and in Statuary Hall upon the occasion of the unveiling of the statue of Charles Brantley Aycock presented by the State of North Carolina (Rept. No. 1431). Ordered to be printed.

Mr. CRISP: Committee on Ways and Means. H. R. 11203. A bill to enable the collection of import duties on foreign-made goods entering the Virgin Islands through parcel-post mail; with amendment (Rept. No. 1432). Referred to the Committee of the Whole House on the state of the Union.

Mr. JOHNSON of Oklahoma: Committee on Military Affairs. H. R. 12047. A bill to provide for the transfer of powder and other explosive materials from deteriorated and unserviceable ammunition under the control of the War Department to the Department of Agriculture for use in land clearing, drainage, road building, and other agricultural purposes; without amendment (Rept. No. 1433). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. HILL of Alabama: Committee on Military Affairs. H. R. 5726. A bill for the relief of Warren F. Avery; without amendment (Rept. No. 1423). Referred to the Committee of the Whole House.

Mr. HARE: Committee on Insular Affairs. H. R. 10613. A bill for the relief of J. C. Besosa; without amendment (Rept. No. 1424). Referred to the Committee of the Whole House.

Mr. SWANK: Committee on the Public Lands. S. 3830. An act to remove a cloud on the title of certain land in the city of Corpus Christi, Tex.; without amendment (Rept. No. 1425). Referred to the Committee of the Whole House.

Mr. BROWNING: Committee on the Judiciary. H. R. 6425. A bill conferring jurisdiction upon the Court of Claims of the United States to hear, consider, and render judgment on the claims of Edward F. Goltra against the United States arising out of the taking of certain vessels and unloading apparatus; with amendment (Rept. No. 1426). Referred to the Committee of the Whole House.

Mr. HILL of Alabama: Committee on Military Affairs. H. R. 12154. A bill authorizing the Secretary of War to lease or to sell certain lands and buildings known as Camp Eagle Pass, Tex., to the city of Eagle Pass, Tex.; without amendment (Rept. No. 1429). Referred to the Committee of the Whole House.

Mr. PITTINGER: Committee on Claims. H. R. 8207. A bill for the relief of Daisy Anderson; with amendment (Rept. No. 1434). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. TIERNEY (by request): A bill (H. R. 12312) to amend the Federal reserve act to provide for the building up of depleted stocks of staple goods and commodities and so to enable the reemployment of idle labor, and the restoration of buying power; i. e., effective demand; to the Committee on Banking and Currency.

By Mr. AYRES: A bill (H. R. 12313) to amend section 13 of the Federal reserve act by making notes of finance and credit companies subject to discount; to the Committee on Banking and Currency.

By Mr. HARLAN: A bill (H. R. 12314) to remove limitations on the amount of property held by benevolent, charitable, and other nonprofit corporations incorporated in the District of Columbia by private act of Congress; to the Committee on the District of Columbia.

By Mr. TIERNEY (by request): A bill (H. R. 12315) to provide for the temporary removal of the limitation on individual deposits acceptable by the postal savings banks, in-

tended to encourage the restoration of hoarded funds to general circulation; to the Committee on the Post Office and Post Roads.

By Mr. DRIVER: A bill (H. R. 12316) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Helena, Ark.; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Idaho: A bill (H. R. 12317) for the rehabilitation of the Big Lost River project, Idaho; to the Committee on Irrigation and Reclamation.

By Mr. KENDALL: A bill (H. R. 12327) to authorize the Postmaster General to relieve postmasters in cases of losses of funds by bank failures; to the Committee on the Post Office and Post Roads.

By Mr. MILLARD: Joint resolution (H. J. Res. 405) authorizing the President of the United States to present the distinguished-flying cross to Amelia Earhart Putnam; to the Committee on Military Affairs.

By Mr. JOHNSON of Texas: Joint resolution (H. J. Res. 406) directing liberalization of policy of Reconstruction Finance Corporation concerning loans for agriculture; to the Committee on Banking and Currency.

By Mr. EVANS of Montana: Resolution (H. Res. 238) for the consideration of H. R. 10048, a bill granting to the metropolitan water district of southern California certain public and reserved lands of the United States in the counties of Los Angeles, Riverside, and San Bernardino, in the State of California, for an aqueduct, and for other purposes; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HOPE: A bill (H. R. 12318) granting an increase of pension to Rose R. Corner; to the Committee on Invalid Pensions.

By Mr. HUDDLESTON: A bill (H. R. 12319) granting a pension to Alice R. Zell; to the Committee on Pensions.

By Mr. IGOE: A bill (H. R. 12320) for the relief of James R. Page; to the Committee on Military Affairs.

By Mr. KURTZ: A bill (H. R. 12321) granting an increase of pension to Catharine L. Kelly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12322) granting an increase of pension to Caroline Nash; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12323) granting an increase of pension to Annie Smith; to the Committee on Invalid Pensions.

By Mr. LAMBERTSON: A bill (H. R. 12324) for the relief of Madeline Hunt; to the Committee on Claims.

By Mr. THOMASON: A bill (H. R. 12325) for the relief of William M. Weaver; to the Committee on Military Affairs.

By Mr. TIERNEY: A bill (H. R. 12326) granting a pension to Veronica Zolyomy; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7946. By Mr. ANDREWS of New York: Resolution adopted by the Lawyers' Club, of Niagara Falls, urging immediate repeal of the eighteenth amendment; to the Committee on the Judiciary.

7947. By Mr. BOHN: Petition of members of Public Welfare Commission of the city of Detroit, Mich., urging Congress to act immediately on the prosperity loan; to the Committee on Ways and Means.

7948. Also, petition of Morley S. Oates Post, No. 701, Veterans of Foreign Wars, requesting Congress that, in the event they do not see fit to favor the immediate cash payment of the adjusted-service certificates, they enact such legislation as will eliminate interest charges against the unpaid balance; to the Committee on Ways and Means.

7949. By Mr. BLOOM: Resolution passed by the Uniformed Firemen's Association of Greater New York on May 19, 1932; to the Committee on Ways and Means.

7950. By Mr. CRAIL: Habeas corpus petition of Ray Becker and others for the impeachment of J. Stanley Web-

ster, judge of the eastern district of the Federal court of the State of Washington, for misconduct on the bench; to the Committee on the Judiciary.

7951. Also, petition of Roy Porter and many teachers of the Richard Dana, Jr., High School of San Pedro, Calif., urging your influence in the financial matters concerning the welfare of education, at least for the amount the House recommended; to the Committee on Appropriations.

7952. Also, petition of California Building Loan League, Los Angeles, Calif., approving the recommendation of the President for the establishment of a system of Federal home-loan banks, and urging Congress to give their immediate, unqualified, and earnest support, to the end that House bill 7620 and Senate bill 2959 may be enacted into law during the present session of the Seventy-second Congress; to the Committee on Banking and Currency.

7953. Also, petition of United War Veterans of the United States, Los Angeles, Calif., favoring the passage of a \$5,000,000,000 prosperity bond issue to relieve present unemployment conditions existing in the Nation; to the Committee on Ways and Means.

7954. Also, petition of Southern California Council of Combat Division Associations, petitioning Congress to authorize immediately the issuance of \$5,000,000,000 in bonds, and to provide for the cutting of red tape in order that work may start immediately on necessary public improvements and distress and suffering throughout the Nation may be eliminated; to the Committee on Ways and Means.

7955. Also, petition of Ollie F. Smith, of Los Angeles, Calif., asking immediate action by Congress for relief of unemployment and setting forth a statement of conditions which require prompt action; to the Committee on Ways and Means.

7956. By Mr. CULLEN: Resolutions adopted at the Fifty-seventh Annual Convention, Amalgamated Association Iron, Steel, and Tin Workers of North America, urging a 6-hour day and 5-day week in industry, and also favoring legislation having all companies, corporations, and manufacturing concerns who work their employees after the end of the first turn on Saturday and before the first turn on Monday or the three legal holidays (Fourth of July, Labor Day, and Christmas) shall be fined and excluded from interstate commerce; to the Committee on Interstate and Foreign Commerce.

7957. By Mr. EVANS of Montana: Resolution of Boilermakers' Union, No. 80, Anaconda, Mont., urging payment of the bonus; to the Committee on Ways and Means.

7958. Also, resolution of the Barbers' Union, No. 575, Anaconda, Mont., urging immediate payment of the adjusted-compensation certificates; to the Committee on Ways and Means.

7959. By Mr. HARLAN: Petition of C. F. Henney and eight other residents of Dayton, Ohio, advocating a general sales tax, economy in Government, and balancing the Budget before adjournment of Congress; to the Committee on Ways and Means.

7960. By Mr. KVALE. Petition of La Société des 40 Homes et 8 Chevaux, Voiture No. 39, St. Paul Minn., protesting against any reduction of the commissioned personnel of the Regular Army of the United States; to the Committee on Appropriations.

7961. Also, petition of Rod and Gun Club, Forada, Minn., protesting against a 1-cent tax on shotgun shells; to the Committee on Ways and Means.

7962. Also, petition of Granite Falls Unit, American Legion Auxiliary, Granite Falls, Minn., protesting against any change in the World War veterans' act; to the Committee on World War Veterans' Legislation.

7963. Also, petition of American Legion Auxiliary, Litchfield, Minn., protesting against any change in the World War veterans' act; to the Committee on World War Veterans' Legislation.

7964. Also, petition of 29 residents of the Twin Cities, Minn., urging enactment of House bill 5857; to the Committee on Banking and Currency.

7965. Also, petition of 19 residents of Willmar, Minn., urging enactment of Senate bill 1197; to the Committee on Banking and Currency.

7966. By Mr. LINDSAY: Petition of C. E. Kennedy (Inc.), New York City, opposing proposed duty on lumber; to the Committee on Ways and Means.

7967. Also, petition of New York Joint Stock Land Bank, Rochester, N. Y., opposing the Hare bill; to the Committee on Banking and Currency.

7968. By Mr. RAINEY: Petition of G. H. Earhart and 51 other citizens of Quincy, Ill., favoring a general sales tax; to the Committee on Ways and Means.

7969. Also, petition of Harry L. Allfrich and 22 other citizens of southern Illinois, favoring the remonetization of silver at a fixed ratio with gold; to the Committee on Banking and Currency.

7970. By Mr. RANSLEY: Memorial of Philadelphia Board of Trade, favoring the enactment of House Resolution 214 entitled "Resolution providing for an investigation of Government competition with private enterprise, and for other purposes"; to the Committee on Rules.

7971. By Mr. RUDD: Petition of New York Joint Stock Land Bank, opposing the Hare bill; to the Committee on Banking and Currency.

7972. Also, petition of C. E. Kennedy (Inc.), New York City, opposing the proposed lumber duty in the revenue bill; to the Committee on Ways and Means.

7973. Also, petition of New York State Legislative Board, Brotherhood of Locomotive Firemen and Enginemen, favoring the passage of the Crosser bill, H. R. 10023; to the Committee on Interstate and Foreign Commerce.

7974. By Mr. TIERNEY: Petition concerning the Gasque-Robinson bill, S. 4161; to the Committee on Pensions.

7975. Also, petition concerning Government expenditures; to the Committee on Economy.

SENATE

THURSDAY, MAY 26, 1932

(Legislative day of Monday, May 9, 1932)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Copeland	Howell	Sheppard
Bailey	Costigan	Jones	Shortridge
Bankhead	Couzens	Kean	Smith
Barbour	Cutting	Kendrick	Smoot
Barkley	Dale	Keyes	Stetwer
Bingham	Davis	King	Stephens
Blaine	Dickinson	La Follette	Thomas, Idaho
Borah	Dill	Logan	Townsend
Bratton	Fess	McGill	Trammell
Broussard	Frazier	McNary	Tydings
Bulkeley	George	Moses	Vandenberg
Bulow	Glass	Norris	Wagner
Byrnes	Hale	Nye	Walsh, Mass.
Capper	Harrison	Oddie	Walsh, Mont.
Carey	Hastings	Patterson	Watson
Cohen	Hatfield	Reed	Wheeler
Connally	Hayden	Robinson, Ark.	
Coolidge	Hebert	Robinson, Ind.	

The VICE PRESIDENT. Seventy Senators have answered to their names. A quorum is present.

THE JOURNAL

Mr. FESS. Mr. President, I ask unanimous consent for the approval of the Journal of the calendar days of Monday, Tuesday, and Wednesday, May 23, 24, and 25.

The VICE PRESIDENT. Without objection, it is so ordered.

CONSIDERATION OF AGRICULTURAL RELIEF BILLS

Mr. NYE. Mr. President, I desire to submit a unanimous-consent request which will involve determination of a time to vote. May I ask whether the parliamentary situation is one now, following the roll call which has just been recorded, which would permit the submission of that request without the call of another quorum?

The VICE PRESIDENT. If it involves a final vote, there would have to be another roll call, or it could be done by unanimous consent.

Mr. NYE. I am going to submit at this time a unanimous-consent proposal, which I send to the desk.

The VICE PRESIDENT. Let it be reported for the information of the Senate.

The LEGISLATIVE CLERK. The Senator from North Dakota proposes that when the Senate has voted upon the passage of the pending tax bill, the bills, S. 4536, by Mr. McNARY, and S. 1197, by Mr. FRAZIER, shall, in the stated order, be laid before the Senate and shall not be laid aside, except by unanimous consent, until a vote shall have been recorded upon the question of the passage of the bills.

The VICE PRESIDENT. Is there objection?

Mr. McNARY. Mr. President, of course, I am very greatly interested in the early consideration of those measures, one of which I reported yesterday, but in view of the parliamentary situation and the very careful program arranged by the steering committee I would not want any bill to which my name is attached to interfere with that program, and presently I shall object to any change in the program.

Mr. NYE. Mr. President, I hope the Senator will withhold his objection for just a moment. While he has stated why he should feel it incumbent upon him to object, I want to state why I am making the request.

I make the request out of a desire to expedite, if I can, the passage of the pending tax bill. Yet if we are to have a demonstration and a pretty virtual assurance that there is going to be no vote during the present session on any of the pending farm bills, then I must insist upon my amendment which I have offered, and which is on the desk as an amendment to the pending tax bill, which relates to the measure introduced by the Senator from Oregon and which he has reported to the Senate within the last two days. So I would like to renew the request and ask unanimous consent for such a proposal as has been sent to the desk.

The VICE PRESIDENT. Is there objection?

Mr. JONES. Mr. President, I hope it will be provided that it shall not interfere with the consideration of appropriation bills. All those bills should be passed by the 1st of July.

Mr. NYE. I understand that there is no interference at all with an appropriation bill by reason of such a unanimous-consent agreement.

Mr. JONES. Does the Senator understand that that is the way the unanimous-consent request is to be construed? I merely heard it read and it seems to me it would prevent the consideration of appropriation bills. I have no objection to the Senator's proposition otherwise. I think as soon as the tax bill is disposed of, the appropriation bills should be disposed of as rapidly as possible.

Mr. BINGHAM. Mr. President, may I remind the Senator from Washington that one of the appropriation bills contains the so-called economy measure which came over from the other House and which ought to be considered at the very earliest possible opportunity in order that the other appropriation bills may be properly drawn in connection with whatever the Senate does with that bill.

Mr. JONES. I have that in mind, and it is necessary that we pass the appropriation bills and that they should not be delayed.

Mr. BINGHAM. Mr. President, let me ask the Senator from North Dakota how does his proposal fit in with the program which we have been trying to follow as it came from the steering committee?

Mr. NYE. It will not fit in at all so long as the steering committee denies to agriculture the assurance of consideration.

I understand, Mr. President, that it will be altogether advantageous to withdraw my proposal at this time in anticipation that within a few hours there may be some agreement reached. I want to say that if there should be a failure in obtaining unanimous consent, then I shall propose, following that, a unanimous-consent agreement that the Congress shall not adjourn until there has been a vote upon one